THE PAPACY

PAPERS READ AT THE SUMMER SCHOOL OF CATHOLIC STUDIES, CAMBRIDGE, 1923

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The papacy : papers from the Summer School of Catholic Studies held at Cambridge, August 7–10, 1923

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THE PAPACY

TU ES PETRUS

Cambridge (Eng.) Summer school of Catholic Studies

THE PAPACY

Papers from the Summer School of Catholic Studies held at Cambridge, August 7—10, 1923

Edited by

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PREFACE.

A KINDLY critic in *Catholic Book Notes* (April, 1923), speaking of the preceding volumes of this series, *The Religion of the Scriptures* and *Catholic Faith in the Holy Eucharist*, made the remark: "If the standard set by these two volumes can be maintained—and we see no reason why it should not be—the future of English Catholic scholarship is assured." In response to such solid encouragement it has appeared a small thing to provide the required index, and also the title of the paper at the head of each page. Meanwhile, as not being committed to any of the papers that make up the substance of the present volume, the editor is not ashamed to record his conviction that it fully attains to the level of its predecessors, and he has little or no fear that the careful reader will differ from him.

The Introduction follows closely the lines of the opening address, delivered in the Church of Our Lady and the English Martyrs on the evening of Tuesday, August 7. The ordinary lectures and the exhibition of books were held in Emmanuel College, and an interesting coincidence resulting from this gracious hospitality, for which the whole School felt most grateful, was that Dr. Pope, O.P., opened proceedings in the former church of the Friars Preachers. Dr. Pope and Dom Chapman once more show a mastery of their special subjects by infusing new force and interest into a well-worn (because vital) theme. Père d'Herbigny, President of the Oriental Institute at Rome, draws upon his unique knowledge to throw much light upon the dreadful, yet

not altogether hopeless state of affairs in the Christian East. Mgr. Mann, Father Gumbley, Father Pollen and Dr. Downey will all be seen to sum up in admirable perspective the subjects they have undertaken to treat, making also some points that for the great majority of readers, at all events, will be new and valuable. An especial interest will doubtless attach to Father Allen's paper; it was the especial good fortune of the Summer School to find him a visitor to this country from California, but lately possessed of a research degree at Oxford, through a dissertation upon the very subject of his paper. Relatively long as it is, it has been necessary to omit much that the editor would gladly have included. After an all too short description of the working of Papal administration from Bishop Brown, will be found a lecture upon the Popes and Art, by Mrs. Strong, the distinguished Girton scholar, Assistant Director of the British School of Rome. This represents the first of two lantern lectures, carefully prepared and much appreciated, which were delivered in the Botany School lecture room, by kind permission of the Master of Downing College. It will be found a valuable opening to a great subject, by one of the few competent to deal with it; but to those who miss the help of the beautiful slides, the hope may be held out that both lectures may appear later on in book form with illustrations, as a little manual for the use of schools and colleges and for all interested in the subject. To this paper, as to a few of the others that seemed especially to call for it, a select bibliography has been added, with a view to helping the student in little-trodden paths.

Where there is question of so vast a subject, the selection of the subjects for papers cannot wholly escape

criticism. The general aim has been to select what is most instructive, both in itself and as part of the scheme. This such a topic as "bad popes," for example, was not likely to prove. That it is easy to exaggerate, that the divine mission ultimately shines forth the more clearly through human frailty, that no dynasty can compare with the long and glorious line of the popes; these things will be generally admitted, and it is difficult to carry the main discussion much further with profit in a comparatively short time. Reference may be made to some useful articles upon the subject by Father Thurston, S.J., in *Catholic Truth* for this year (1923). By way of compensation, no description is attempted of the Papacy at what many would consider its zenith, but it will probably be thought more profitable to have a masterly sketch from Mgr. Mann of the great lines upon which that position was built up. Again, the temporal sovereignty of the popes is certainly a question of modern interest, but it is not clear that much can usefully be said about it. Every Catholic understands that the Holy Father should be absolutely free in his government of the Church, but also that he must reserve to himself the right to make terms. How, indeed, any patriotic man who understands all that the Holy See means for millions of his fellow-citizens, could wish him to be the creature of a foreign power, is a wonder that baffles comprehension. Even by those who can see no better justification for it, the maintenance of diplomatic relations with the Vatican should be recognized to be a matter of common sense.

The Summer School itself, at which these lectures were delivered, was beyond all question a success; in token whereof it may be enough to point out that the

average attendance at the ordinary lectures (without taking into account the great attraction of the lantern lectures) may be said roughly to have risen from one hundred to two hundred. Next year it appears most probable that the subject chosen will be St. Thomas Aquinas, the Angel of the Schools. The Bible Congress was held in answer to a general invitation to the Church from the Holy See, and the ensuing Summer School, with the Holy Eucharist for subject, followed upon Eucharistic celebrations in Rome. The School upon the Papacy was no less clearly a manifestation of loyalty to the Holy See, a filial loyalty which was declared by telegram and received gracious answer and approval. Next year also, therefore, it is hoped that it may prove feasible to follow once again the Holy Father's lead, given in his encyclical of June 29 (1923), and to provide a solid and interesting introduction to the life and work and teaching of him whom he has entitled in that same encyclical the common or universal doctor of all.

C. L.

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I.

INTRODUCTION: THE LIGHT OF THE WORLD.

By the Rev. C. Lattey, S.J., M.A.

Christ proclaimed Himself the Light of the World (John viii. 12), but the world knew Him not, and the neo-paganism of our own time knows Him not today. Either men frankly regard His ideas as inferior to their own, or they elaborate a Christ after their own image and likeness, rejecting, under pretext of "higher criticism," much that is of fundamental importance. And this comes to much the same thing as rejecting Christ altogether; for as one thing after another has gone by the board—not merely Holy Eucharist and Church and Bible, but the Divinity of Christ, even the Divinity (in any serious sense) of God Himself, and, indeed, the very principle of definite belief—it has become increasingly difficult to maintain that all this is but an impartial sifting of evidence, a quest after the historic Christ. The New Testament has long been put out of court by the liberal school as a historical test; it is not any "Religion of the Scriptures" that they desire; yet the very progress of agnosticism has made it easier for them to admit that such a religion would be no great caricature of the mind of Christ.

Christless, and still imagining it sound policy in public and in private to remain Christless, and even to see to it that the rising generation be Christless also, the world is building upon sand, and meanwhile there is rain and

flood and wind, and we know not to what intellectual and moral anarchy, to what abyss of ugliness and despair it may be reduced. It is no longer a question of temporal and temporary adjustments, but of spirit and principle, based upon serious reflection and conviction. But it has been observed more than once lately that the general tendency of much official education is to stunt the working of reason no less than of faith.

Strangest of all, saddest of all, the spirit of thoughtless drifting and happy compromise, the idolizing of supposed ethical and emotional values, all that we may sum up in a word as modernism in various quantity and quality, has been promoted by many who claim to bear the Christian ministry and lead Christian thought. In this country, however, some would-be Catholics, a small though zealous minority of their own communion, wonderfully enlightened yet wonderfully befogged, bear unequal yoke with Protestant and unbeliever, denying alike their Protestant past and that Catholic future, which alone can prove tolerable. For them we may perhaps indicate the parting of the ways, in the future as in the past, as a choice between John Henry Newman and *Lux Mundi*. The logic of history has shown, and is still showing, which stood for the Light of the World; if they are not to be switched off into Modernism, they must advance into full faith and unity.

And so the Papacy has come to be a graver and more fundamental issue; it stands no longer for any part or particular brand of Christianity, but for the whole. If Christ be the Light of the World, the Vicar of Christ also sheds that same divine light upon the world, Christ working through His teaching and government and ministry, in order through these external means to win

and possess and permeate the human soul. If Christ reigned in the councils of Europe, His Vicar's voice would also be heard therein; if the religion of Christ is to reign in the human heart, it becomes ever more manifest that His Vicar must safeguard it.

Wherever so true a light burns, it must illumine all around. They were but little enlightened, and perhaps not very enthusiastic, to whom Christ first proclaimed that they were the light of the world (Matt. v. 14); yet it could not be otherwise, if they were believing Him. And even though Catholics be ill-instructed, even though they have but little zeal in the practice of their religion, even though they have been infected by the intellectual and moral apathy that prevails about them, nevertheless it remains their privilege and their responsibility that they are the light of the world. All the greater privilege and responsibility, if they shine in the midst of darkness; all the more tremendous if they be conscious of many in that darkness looking for some gleam of kindly hope. Not a few, also, have it as their duty to implant and safeguard that light in others, so that it may grow unto a perfect day; the brighter their own light, the brighter that which is imparted from them, or rather, the richer the share and fellowship in that one infinite light which has deigned to be the Light of the World.

There is, in truth, an apostolate which is primarily light, even as there is an apostolate which is mainly the heat of zeal; not that the one can ever be to any large extent divorced from the other. For the enkindling and fuelling of zeal we may look in these days to the Retreat Movement, so blessed and encouraged by the present Holy Father; not of course as apart from the sacraments, but as leading to their worthier and more

frequent reception. In the apostolate of light we may hope that the Summer School will play an increasing part. It is the apostolic spirit which brings the lecturers down, to give of their best; no one pretends that the part they undertake, if one may put it so, is as yet a business proposition. It is the apostolic spirit that brings them hearers. "The just man shall live by faith" (Rom. i. 17); the deeper and more comprehending that faith, the fuller and more vigorous the divine life that can be nurtured from it. Faith and light, therefore, have a great spiritual value for the individual; still, it is doubtless the thought of others, in many cases a trust from God, that has brought to most at the School the thirst for greater light. May they find their help and joy in an ever larger measure of heavenly truth!

When one reflects upon the influence of this great intellectual centre upon the whole land, shedding as it does so diverse a light, where one would fain see the pure white flash of truth divine and everlasting; when one thinks upon the far-flung power of this land and of our empire, and of the states that share our speech; when one considers the very history of the work done in the last two years, significant in promise as in accomplishment; then the hope and conviction may well arise, that the support of the Summer School may be some fulfilment of the Master's assertion and behest, "Ye are the light of the world."

II.

THE PAPACY IN THE NEW TESTAMENT.

By the Rev. Hugh Pope, O.P., S.T.M., Doct.S.Script.

(1) Introduction.

For a Catholic, the Papacy is the key to the whole religious question. For—to put it concisely—we believe the doctrines of our faith, not because we fancy we discover them set forth in the New Testament, nor because a vague entity called "the Church" has held them, but because the visible teaching Church—the *Corpus Christi*, or Body of Christ—has taught them, and continues to teach them, through its Head on earth, the Pope, the successor of St. Peter, the Vicar of Christ.

Ever since the Reformation this—which has always been the Catholic position—has been violently assailed. In the present day, when reunion is so much talked of, every one who really honestly desires to see Christendom once more united must face the Papal claims with an open mind. One whom we may term the protagonist of the so-called "Anglo-Catholic" position, is content to say that the Roman Church "has allowed itself to claim for its Head divine rights and authority for which there is no evidence."[1] But categoric statements like this hardly amount to proof. They are rather a begging of the question.

[1] *Morning Post*, July 29, 1923.

(2) The Synoptic Gospels.

Now, if the Catholic doctrine of the Papacy is true, it must find solid justification in the New Testament—the charter of Christianity. Consequently when a Catholic is asked why he believes in the Papal claims, whereas his first answer will be that the Church founded by Christ so teaches, he will also point to the promises made to Peter after his confession of Christ's Godhead in Matthew xvi, and will further indicate such passages as Luke xxii. 31–32 and John xxi. 15–18 as containing further promises to St. Peter, and he will point out how the early chapters of the Acts of the Apostles show us in practice the principle laid down in these great "Petrine" texts. In the following pages we propose to discuss these texts, not so much exegetically and individually, as in their mutual relation and in their collective and cumulative force.

We must remember, to begin with, that these great Petrine texts are a positive fact, an integral portion of the Gospels which give them. Thus, if sections of the Sermon on the Mount, for example, were eliminated, or some of the parables or miracles, the Gospel of St. Matthew would still remain a whole. But the Confession of St. Peter, with the promises made to him in consequence, is an integral portion of this Gospel. While the story of the Infancy, the Galilæan ministry, the Sermon on the Mount, the miracles and parables, all follow one another in due order, we cannot understand the preaching of the Cross, the Transfiguration, and the final dramatic climax if we omit that other climax which is the central point of this Gospel—the Apostolic confession of Christ's Godhead.

Whom do men say that I am? Christ had asked. And when His disciples had answered that some people thought He was the Baptist, others that He was Elias or Jeremias or some one of the Prophets, He asked: *But whom do ye say that I am?* This was the crucial question. It was not what men in general fancied that mattered, but what His chosen disciples—who knew His life and His doctrine—had come to believe about Him. And the answer to His question came with almost staggering directness: *Simon Peter answered and said: Thou art the Christ, the Son of the Living God.* What was Christ's response? It runs thus in the Greek:

1 Blessed art thou, Simon bar-Jona,
Because flesh and blood hath not revealed it to thee,
but My Father who is in heaven.

2 And I say to thee that thou art Peter,
And upon this rock I will build My Church.
And the gates of hell shall not prevail against it.

3 I will give to thee the keys of the Kingdom of heaven.
And whatsoever thou shalt bind upon earth, it
shall be bound in heaven;
And whatsoever thou shalt loose upon earth, it
shall be loosed in heaven.

None can deny the immense solemnity of this declaration and of the occasion on which it was uttered. *Whom do you* (note the plural) *say that I am?* Christ had asked. Peter answers for all, but the declaration that follows is addressed to him in the singular with quite peculiar emphasis. Simon the son of John has received a divine revelation touching the Godhead of Christ. But Christ immediately reminds him that his name, Simon, had long ago,[1] when he was first called to be an Apostle,

[1] John i. 42; *cp.* Matt. iv. 18; Mark iii. 16; Luke vi. 14.

been changed to "Peter," or in Aramaic, "Cephas," which means "rock." [1] Reminding him of this, Christ's promise really runs: "Simon, thou art 'rock,' and upon this 'rock' will I build My Church"; or more plainly still in French: *Tu es Pierre, et sur cette pierre je bâtirai mon Église.* No assaults of the powers of evil shall avail to destroy that divinely-founded Church. Finally, to Peter personally—note the use of the singular throughout—are committed the keys of Heaven, with the power of binding and loosing.

This confession was voiced by one man, it resulted in the foundation of Christ's Church upon that one man whose name had purposely been changed to Peter or "rock." The Petrine privileges and the Church's privileges are identical. Eliminate the former, and the latter also disappear.

But it is urged that Christ built His Church on Peter's faith, and therefore not on Peter's person. Yet Peter's faith is a quality resident in Peter's person, though the presence of that quality is the necessary condition which alone can make Peter's person a solid foundation. Because God had given him that faith, the Church was built upon Peter. It is a meaningless evasion to say that Christ "founded the Church on His own Manhood," as does the Bishop of Zanzibar.[2]

It is also urged that these solemn words confer on Peter a primacy of honour only, and not of jurisdiction. But if jurisdiction *was* to be conveyed, what more

[1] The city *Petra* is in the Syriac version of Isaias xvi. 1 rendered Kepha. The Wycliffite version translates Matt. xvi. 18, "and upon this *stone*" instead of "upon this *rock*," and it is so quoted by King Edward VI in his little polemical treatise against the Papacy.

[2] *Morning Post*, July 28, 1923.

precise or stronger words could be formulated for its conveyance? Peter has the power of binding and loosing, and his acts in that respect will be ratified in Heaven. Those, then, who would repudiate Peter's jurisdictional powers must repudiate the entire passage. It is also urged that in chap. xviii the same power of binding and loosing is conferred on all the Apostles, and that therefore Peter received no more than they did. Yet the expressive use of the singular in chap. xvi singles out Peter as the recipient of jurisdictional powers in a most especial way. What all received together he had already received in a most particular manner, *i.e.*, as holding primatially what they all had. They all had jurisdiction; Peter alone had primatial jurisdiction which is signified by the power of the keys,[1] a power which was certainly not conferred on the other Apostles. Any other interpretation makes either Matt. xvi or Matt. xviii an absurdity.

Before leaving St. Matthew's Gospel it may be well to summarize the references it contains to St. Peter. Simon and Andrew are called by Christ, iv. 18; Christ enters Peter's house, viii. 14, and heals his wife's mother; *Simon who is called Peter* is expressly termed the first of the Apostles, x. 2; at Christ's bidding he walks on the water, xiv. 29; it is Peter who asks for an explanation of a parable, xv. 15; then comes his confession of faith in Christ's Godhead, xvi. 16–19, with the subsequent promises; Peter is one of the three witnesses of the Transfiguration, xvii. 1–9; this is followed by the miraculous finding of the stater which is to be paid as tribute *for Me and for thee;* Peter declares that he and the rest have left all for Christ's sake, xix. 27; his self-confidence is rebuked and his fall predicted, xxvi. 33; he is one of the chosen witnesses of the Agony, xxvi. 37; he denies his Master, xxvi. 69–76.

[1] Isa. xxii. 22.

We urged above that the great Petrine text in Matt. xvi formed an integral portion of that gospel. But this line of argument might seem invalidated by the fact that Mark and Luke, while giving us Peter's Confession of Faith and—in the case of Mark—the rebuke, "Get behind Me, Satan," are silent touching the promises. Yet it is a sound tradition that Mark merely wrote what Peter was in the habit of preaching, and we can hardly imagine Peter announcing in his daily preaching that such privileges were bestowed upon himself! In fact, were these promises given in the Second Gospel, it might almost be argued that this very fact made it suspect. Conversely, too, the fact that no single commendation of Peter is to be found in the Second Gospel, while all that is derogatory is faithfully preserved, is a proof of the Petrine origin of that Gospel, and indirectly a confirmation of the promises made to the Prince of the Apostles.

The details concerning Peter which are preserved in this second gospel may be thus summarized: Simon and Andrew are called, i. 16; *Simon and they that were with him* seek Jesus, i. 36 (for this peculiar expression see Luke viii. 45); to Simon He gave the name of Peter, iii. 16; he is one of the witnesses of the healing of Jairus' daughter, v. 37; his confession of faith and the rebuke, viii. 29; he is a witness of the Transfiguration, ix. 5; he and the rest have left all for Christ, x. 28; he asks for an explanation of the withered fig-tree, xi. 21; he is one of those present during the discourse on Mount Olivet, xiii. 3; his fall is predicted, xiv. 29; he is one of the witnesses of the Agony, xiv. 33; his denial of Christ is given at great length, xiv. 54–72.

The omissions too are significant: the promises made to him, the miracle of the stater, and the story of his walking on the water are all passed over. But this is

precisely what we should expect if the Second Gospel is St. Peter's; though, even so, Peter's true relation to the rest slips out, as it were unintentionally, when Mark tells us how, at the Resurrection, the angel said *Go tell His disciples—and Peter*, xvi. 7.

When we pass to St. Luke's Gospel the same features re-appear as in Matthew and Mark, with, however, certain notable differences. The confession of faith in Christ's Godhead is given us—indeed, all four Evangelists give it—but the promises are omitted, as also the rebuke, *Get behind Me, Satan.* In addition to the details furnished by Matthew and Mark, we are told of the ship that was Simon's, we twice have the curious expression, *Peter and they that were with him*, viii. 45, ix. 32, *cp.* Mark i. 36; it is Peter and John who were commissioned to prepare the Passover feast, xxii. 8. Then comes Luke's peculiar contribution to the great Petrine texts. For while all four evangelists tell us of the dispute at the Last Supper as to which of the apostles should be the greater, Luke alone gives us what we might well term Christ's dramatic answer:

And the Lord said (*Lord*, not—as just before—*Jesus* or *the Son of man*), *Simon, Simon, behold Satan hath desired to have you* (plural, ὑμᾶς, the Apostolic body, not Simon alone) *that he might sift you* (plural, ὑμᾶς) *as wheat. But I have prayed for thee* (the singular, σοῦ) *that thy faith fail not. And thou being once converted, confirm thy brethren.*

In other words, the strength of the Apostolic body was not to be found simply in Christ's prayer for them; it was to lie in His prayer for their chief, and consequently for all of them as members of that one body of which Peter is the head. But nowhere in Luke's Gospel was Peter made the head—only in Matt. xvi.

Christ's declaration, then, that He had prayed for Peter would have been unintelligible to the Apostles had they not already heard that earlier promise. Nor was the inspired Luke a mere automaton; we cannot imagine him penning those words had he been ignorant of the position already conferred on Peter.

The sequel to the promises in Matt. xvi was the apparent paradox: *Get behind Me, Satan!* The sequel to the promise in Luke is, *Thou shalt deny Me thrice.* Now a paradox is an absurdity unless it thinly veils a simple truth. And the truth here is that the privileges accorded to Peter are in the supernatural order only. They are not going to change his personal character, which they presuppose, and which was bestowed upon him as the basis of the privileges he was to receive, as well as for their more perfect exercise.

In Luke's account of the Resurrection St. Peter can hardly be said to play a prominent part. Yet Luke gives us two quite incidental touches which should make us ponder: *Peter ran to the sepulchre . . . and went away wondering* (xxiv. 12), and *The Lord hath risen indeed and hath appeared to Simon* (xxiv. 34); with which we may compare St. Paul's commentary, *He was seen by Cephas and after that by the eleven* (1 Cor. xv. 5).

Before we leave the Synoptic narrative we must try to get the true bearings of the evidence. Matthew and Luke each give us one great Petrine text. But these are not isolated passages; they are the natural outcome of a crowd of allusions and incidents which, without those great texts, would be meaningless, just as those great passages would be unintelligible without the minor incidents which led up to them. To take but one or two instances: in all lists of the Apostles, Peter's

name stands first. Why? We gather from John i. 35–42 that Peter was not really the first to be called by Christ. Then again, why that extraordinary scene of the finding of the stater in the fish's mouth? Without the *Tu es Petrus*, such an incident would be meaningless. It is the same with St. Mark: *Go, tell His disciples—and Peter.* There is nothing in Mark's Gospel which would justify this. But it is clear in the light of the *Tu es Petrus*. Once more in Luke: *He went up into a ship that was Peter's . . . and Simon Peter said: 'Depart from me,'* etc. Why the sudden use of the double name? It occurs nowhere else in the Synoptic narrative save in the *Tu es Petrus*.

Any one then, who wishes to explode the Petrine claims must take into account not merely the great texts but the entire structure of each Synoptic Gospel.

(3) The Witness of the Fourth Gospel.

St. John's Gospel was written some seventy years after the Ascension, some forty years after the last of the Synoptic Gospels. Of these, John must have had full knowledge when he wrote. Moreover, his Gospel was penned after seventy years' experience of the life of the Church. The *Pastoral Epistles*, with their picture of a highly organized monarchical Church—*the pillar and ground of truth*—had been in circulation well over thirty years when John wrote. At that time, too, Ignatius was bishop of Antioch, and was shortly to write those letters wherein he portrays the same monarchical and highly organized Church.

It might at first sight seem hopeless to look for the doctrine of the Papacy in the Fourth Gospel. The status of the Church and Peter's position in it must have

been well understood at that date. Why then should John mention them? The Synoptics wrote for the Church in her infancy, St. John for her maturity. His aim, as he tells us so explicitly, was to set forth the Godhead of Christ. Hence we are not surprised to find that no promises follow upon Peter's confession of faith; we have instead the unexpected denunciation of Judas. But it is a curious fact that whereas the change of name, from Simon to Peter, is the key to the promise in Matt. xvi, yet it is St. John alone who tells us of this change of name in express terms. We saw above that the promise in Luke xxii was unintelligible without Matt. xvi, and now we can see that Matt. xvi is unintelligible without John i. 42. It is also noteworthy that it is St. John who habitually uses the double title, *Simon Peter*, as though he would insist on the importance of the new name.

Again, while Simon Peter is prominent in St. John's account of the Last Supper, the promise recorded by St. Luke on that occasion is not given by St. John, though he gives us the episode that led up to it, just as he gives us the confession and yet omits the promises which followed. Now St. John must have known these things. Why then does he break off at the crucial point? Can any sane criticism deny that these omissions were deliberate? Another fact emerges as we study this Gospel: it begins with that change of name which is the key to the Petrine position; as the story develops, Simon Peter comes more and more to the fore—though the promises familiar to us from Matthew and Luke are carefully omitted—till Peter almost crowds out the others. Nowhere is his denial given with greater wealth of detail, nowhere else does he play so prominent a part

in the story of the Resurrection narrative. We are all familiar with the wonderful pictures St. John has drawn of those Easter days. His story opens with the Magdalen running to tell Simon Peter and the beloved disciple of the empty tomb. They run, and though John arrives before Peter, he yet stands aside to let Peter enter first. Will anyone be satisfied with the explanation that this was simply courtesy due to age? There follows the Magdalen's vision, and then the two appearances of Christ to the disciples. And here, with Thomas's confession, St. John's Gospel—rightly speaking—comes to a close: *Many other signs also did Jesus in the sight of His disciples which are not written in this book. But these are written that ye may believe that Jesus is the Christ, the Son of God; and that, believing, ye may have life in His Name.*

But then, as though it were an afterthought—a species of appendix—comes chap. xxi. It is wholly taken up with the story of Christ's appearance at the lake-side. Seven of them are fishing: Simon Peter, Thomas and Nathanael, James and John, and two others. There comes the miraculous draught of fish, the meal by the lake, and then what is perhaps the greatest of all the promises to Peter. The threefold denial meets with the threefold humble refusal even to say that he loves his Master; *Thou knowest that I love Thee* is sufficient for him now. But the thrice-repeated command of Christ—a command which at first sight seems to bear no relation to the humble apostle's declaration—sweeps away all the past and amplifies the former commissions given him: *Feed My lambs; shepherd*[1] *My sheep; feed*

[1] It was perhaps only natural that the Revised Version should water this down to "*tend* My sheep"!

My sheep! The lambs and the sheep; there you have the entire flock, and Peter it is who is to feed the lambs and the sheep and also to *rule* the sheep. For that is what the word ποίμαινε means; was not ποιμὴν λαοῦ, "shepherd of the people," the fitting title for the Homeric kings? What else is this but a veritable primacy of jurisdiction? Who can fail to discover an echo of this scene in St. Peter's own words: *but ye are now converted to the Shepherd and Bishop of your souls:* an echo, too, of, *being once converted, confirm thy brethren*? [1]

Nor is this wonderful scene exhausted when we have found in it the third promise to Peter, the post-Resurrection one, the one which restored him to the position he might seem to have forfeited, the one which comes as a complement to the promise made him at the Last Supper—a promise which is itself supplementary to that great promise made at the turning-point in the lives of all the Apostles, when by Peter's mouth they professed their belief in the Godhead of Christ.

We must bear in mind that when St. John wrote he was the last surviving apostle, and was himself shortly to die. His personal position was unique. But what was his position as regards the Church? Was he its head? What was to happen after his death? Was the Church simply to break up into a multitude of national local Churches, owning their prestige to their foundation by Apostles? There was a real danger of this, unless it had been provided for by the Church's Founder. The quartodeciman controversy of the second century shows us how the authority of St. John and of the Asian Churches could be invoked with detriment to unity.

[1] 1 Peter ii. 25, Luke xxii. 32.

Now St. John has been at pains to give us in this species of appendix to his Gospel not simply an account of the final promise made to St. Peter, but of the relative positions occupied by himself and St. Peter. This latter point is the important feature of this episode, which does not simply tell us—as so many imagine—that Peter was restored to favour. John was the "beloved disciple"—he is twice so spoken of in this very chapter; from the fact that he had "lain on the Lord's bosom" he came—perhaps even during his lifetime—to be called the ἐπιστήθιος; there was even an idea that he was immortal. Now over against these great prerogatives, of which John is so fully conscious, he himself sets the claims of Peter who at the time John wrote had already been dead more than thirty years: he, Peter, was to be shepherd of the entire flock. But Peter was long dead! Why, then, this tremendous insistence on his position? Simply because Peter was living on in his successors who even during John's own lifetime—as we see in the case of Pope Clement's letter to the Corinthian Church—were exercising Peter's prerogative of shepherding the entire flock.

Whatever John's position, then, whatever his dignity as an Apostle, as the last Apostle, as an evangelist, as the ἐπιστήθιος, as "the beloved disciple," he was still inferior not only to Peter but to Peter's successors, for to John was not given the supreme commission to feed the entire flock of Christ.

One section of this Fourth Gospel we have purposely passed over up till now. We refer to Christ's prayer for His disciples until the end of time. Whenever the reunion of Christendom is under discussion, reference is made to this prayer: *Father, I pray that they all may be*

one, as Thou, Father, in Me, and I in Thee, . . that the world may believe that Thou hast sent Me. Now that passage says three things: that Christ prayed that His Church might be one, with a oneness only comparable to that subsisting between the Three Persons of the Trinity, and that that oneness should be to the world a proof of Christ's Divine Mission. We can, if we like, say that that prayer has proved ineffectual, that—in the words of the Bishop of Zanzibar: "But the bishops have fallen out. Human ambition, with envy, jealousy, and other sins, has split the governing body into three groups—Roman, Eastern, and Anglican";[1] but if we say that, we are repudiating the Godhead of Christ. For if His prayer was ineffectual, He was not God. If He was God, His prayer was not merely *deprecativa in spe*, but *effectiva in re*, it was as creative as the "Let there be light" of creation's dawn. This oneness, then, is no mere aspiration; it is to be the significant characteristic of the visible Church which Christ has established on earth, to subsist to the end of time. Consequently Christ's prayer for the unity of His Church must have its visible counterpart in an organization instituted by Christ for the effective securing of unity. That organization is the primacy of jurisdiction conferred upon Peter and his successors. Without the Petrine promises Christ's creative prayer for the unity of His Church would seem little more than an ideal suspended in the air, as it were, since incapable of realization, owing to the absence of the organization necessary for securing it.

[1] *Morning Post*, July 28, 1923.

(4) Conclusion.

The three great Petrine texts, then, are not isolated, accidental statements. They are mutually interdependent. No single one of them is fully intelligible without the other two. Moreover, they follow a remarkable chronological sequence. For while the *Tu es Petrus* marks the climax in the training of the Apostles, the words, *confirm thy brethren*, mark the hour of deepest gloom, and point to a future of even greater trial; and finally the commission, *feed My lambs and My sheep*, looks forward to the end of time, to that final resurrection which will mark the close of the life of the Church militant, hence it finds fitting place in that scene by the lake-side when the risen Savour dined with His disciples for the last time before the Ascension. This final commission, too, finds its fitting parallel in the general commission given to the Apostles as a body: *Going therefore teach all nations, . . . and behold I am with you all days to the consummation of the world.* To Peter alone had been given the keys, to all of them together had been committed the power of binding and loosing. So, too, to all of them came the supreme commission to teach, but to Peter alone the commission to feed the entire flock of Christ.

Scriptural authority is rightly demanded for every doctrine, and it may be truly claimed that the doctrine of the Papacy has even more abundant scriptural authority in its favour than has, for example, the doctrine of the Holy Eucharist. For that latter doctrine we have the sixth chapter of St. John, the Institution at the Last Supper, and 1 Cor. x–xi, with probable references in Acts,[1] and likewise at Emmaus. In other words, the

doctrine is taught on two occasions, we discover it in practice several times. But St. Peter's primacy is expressly taught us on three distinct occasions, and with ever-growing clearness; we have several hints and allusions, and we see it in practice in the first eleven chapters of Acts and, as we shall see, notably at the Council of Jerusalem.

(5) Two Passages which may seem to Contradict the Doctrine of St. Peter's Primacy.

(*a*) *St. Peter and St. Paul at Antioch.*

There are of course certain passages which are regarded as fatal to the doctrine of a primacy of jurisdiction accorded to Peter and his successors. The most famous of all perhaps is furnished us by St. Paul. *When Cephas was come to Antioch*, he says, *I withstood him to the face because he was to be blamed*.[1] For whereas Cephas had hitherto made no distinction between Jews and Gentiles when they became Christians, yet when some narrow-minded Jew-born Christians came from Jersualem, he, for fear of offending these champions of orthodoxy, ceased to eat at table with the Gentile-born Christians.

Now in this Cephas was certainly inconsistent. Still, a king is no less king because his standard of morals is a low one. A judge may be more criminal than the man he condemns. No argument, then, against Peter's primacy of jurisdiction can be derived from his inconsistency. There have been bad popes: were they any the less primates in jurisdiction because of their unworthy lives?

It has been argued, however, that the use of the name Cephas instead of Peter shows that it was not St. Peter

[1] Gal. ii. 11–16.

himself whom St. Paul thus "withstood." But that Cephas here is identical with Peter seems necessitated by the bracketing together in this same epistle of the three names *James and Cephas and John who seemed to be pillars*[1]; James, Peter and John were the chosen witnesses of the raising of the daughter of Jairus, of the Transfiguration, and of the Agony in the garden. Moreover, no other Cephas is known to us. Yet elsewhere, in this very epistle to the Galatians, St. Paul calls him Peter.[2] Why, then, this alternative use of the names? Again, when writing to the Corinthians, the Apostle always uses the name Cephas: the faction-mongers boasted that they were *of Cephas*[3]. Cephas ranks with the brethren of the Lord[4], and the Risen Lord appeared to Cephas.[5] The name *Cephas* is of course simply the Aramaic equivalent of Peter; both names mean "rock." But why this use of the Aramaic name to the Corinthians and Galatians who were neither of them Aramaic-speaking peoples? The explanation may be that the use of the Greek name Peter to these Greek-speaking peoples would not have been so significant as the Aramaic name. We rarely think of the meaning of proper names; when we address our friends as Thomas or Vincent or Peter we do not think of "twins" or "conquerors" or "rocks." But the moment we present their names in a foreign dress their meaning appeals to us. A homely instance will serve: when we speak of the "cook," we may possibly think of meals, though perhaps not with pleasurable anticipations; but call him the *chef*, and our mouths water!

The faction-mongers at Corinth, then, claimed to be

[1] Gal. ii. 9. [2] Gal. ii. 7–8. [3] 1 Cor. i. 12, iii. 22. [4] ix. 5. [5] xv. 5.

building on the "rock" man. Had they said, "we are of Peter," it would have meant the same, but would not have expressed their meaning so forcibly. Similarly, was it only the Lord's brethren and the "rock" man who had a right to "carry about a woman a sister"? And lastly, it was precisely the same "rock" man to whom the special vision of the Risen Saviour was vouchsafed. It is the same principle which is at work here in *Galatians:* "When the 'rock' man came to Antioch I withstood him to the face." St. Paul means to emphasize the gravity of his action: that very "Peter" whom he had on his conversion come up to Jerusalem to "consult," ἱστορῆσαι, he had actually felt constrained to withstand. It was a bold step, a far bolder, a far more significant step than if he had merely withstood James or John, "pillars" though they were.

To return for a moment to the factious people at Corinth. How significant it is that whereas St. Paul is not afraid to say, *What then is Apollos, and what is Paul?* he never dares say, *What is Cephas?* But he does say *All things are yours, whether it be Paul or Apollos or Cephas.*

(*b*) *The Council at Jerusalem.*

Another passage which is often regarded as fatal to the Catholic view of St. Peter's position as the head of the Church on earth is the story of the Apostolic Council held at Jerusalem, Acts xv.

When defending his Apostolic character to the Galatians, St. Paul referred to those converted Jews who maintained that the old Mosaic Law had lost none of its binding force for Christians. It was the presence of emissaries from this ultra-orthodox party which had led St. Peter into his inconsistent action. When news

reached Jerusalem that the Gentiles of Antioch had received the faith, these fanatics sent emissaries thither to insist that these neophytes should accept the Jewish as well as the Christian law and practice. Hence the Council at Jerusalem. It opened with "much disputing,"[1] after which Peter arose and pointed out that to impose the burden of the Law on those Gentiles who embraced the faith was contrary to the positive revelaton he had himself received from Christ on this point.[2] This settled the dispute, *all the multitude held their peace*, and Paul and Barnabas proceeded to give an account of the marvels God had wrought among the Gentiles through their ministry. St. Luke significantly repeats the statement, *after they had held their peace*, and then adds the statement that James[3]—who was the bishop of Jerusalem—fully endorsed what Peter had said, and showed further that it was in accordance with the Prophets. He then put forward a practical solution of the difficulty, one calculated to meet the prejudices of those who had been brought up in Judaism, and who would still from Sabbath to Sabbath hear "Moses read."

Now what is there in this episode which runs counter to Peter's primacy of jurisdiction? Is it not rather in fullest conformity with it? St. James is the bishop of the city, yet not only does Peter speak first—he settles the question; St. James endorses what he says, and simply provides a practical way of meeting the difficulty which had arisen.

[1] Acts xv. 7. [2] *Ibid.*, 7–11. [3] *Ibid.*, 13–21.

III.

THE PATRISTIC PERIOD.

By Dom H. John Chapman, O.S.B., B.A.

The subject which has been assigned to me is a large one. At the end of the last century it was of great controversial importance in England; for our countrymen still held for the most part that the claims of the Papacy were unhistorical, a modern development, and that the constitution *de Ecclesia* of the Vatican Council in 1870 was an innovation, a usurpation. But in the first years of this century a new phenomenon was seen: a party in the Church of England which upheld the papal claims. At the same time historical research was becoming less prejudiced. Students of ecclesiastical history have not only read Bright and Bigg and Gwatkin, but the translations of Catholic writers of greater fame as specialists, Funk and Batiffol, and especially Duchesne. Since the War, again, there has been some development; and I myself have had the advantage of friendship with some of our Presbyterian and Methodist and Nonconformist brethren, and have seen how much of the old hatred and fear of the Pope of Rome has faded away.

It is because of this evolution (or revolution, if you please) that I do not propose to enter into any controversy with non-Catholics. If I were trying to help a Protestant inquirer, I should be inclined to take the lowest ground—to point out how the most anti-papal interpretations of history do not make very serious difficulties against the dogmas of the Vatican Council, and how the general course of events shows at least a

development of the Papacy which is obviously beneficent, and may well have been divinely ordained in a very special sense. I mean that I should not say at all: "The study of history will prove to you that you cannot avoid accepting the Papal prerogatives as an integral part of Christianity, however much you dislike them," but rather the converse: "Papal supremacy is a very attractive doctrine, which you will find copiously illustrated in history, while the historical difficulties which have been raised against it are not so conclusive as some people say."

But as I do not mean to be controversial, I am free to take a different line, and say what I myself think about the evidences for papal prerogatives in the first six or eight centuries. I do not hold that the authority of the Pope, though of divine origin, was yet only gradually recognized and exercised, and that it grew *occulto velut arbor aevo*. This is an orthodox view, and might be true; and it is all that one need prove in answer to objections. I believe, on the contrary, that we have suffered too long from the influence of the great Gallican historians. They were illustrious men; especially Tillemont, who is consistently ill-natured to the Popes, and Hefele, who is quite fair, but simply omits as unimportant most of the evidence on this particular point.

(1) The First Two Centuries.

It is quite an ordinary thing to find Catholic writers of the present day stating that the power and influence

of the Roman See was not much to the fore in the early days of the Church. I think this is contrary to the evidence.

We find St. Clement of Rome writing a letter of remonstrance to the Church of Corinth before the end of the first century; he speaks as an authority from whom there is no appeal. Eighty years later the Bishop of Corinth wrote to Pope Soter that the fatherly letter he had sent would be always read publicly, just as that of Clement still was.[1] Let me cite a few lines from the epistle of Clement: "If any man should dare to disobey the things spoken by Christ through us, let them know that they will involve themselves in no light transgression and danger" (Chap. 59); and again, "Joy and gladness will you afford us, if you become obedient to what we have written through the Holy Spirit, and prune away the lawless passion of your jealousy, according to the exhortation we have made about peace and unanimity in this letter. And we have sent faithful and prudent men, who have walked among us unblamably from youth till age, who will also be witnesses between us and you" (Chap. 63). A few centuries later we should have called this a papal decretal, sent by papal legates. So conscious is the Roman Church of her duty to that of Corinth, that the letter begins with the words: "On account of the sudden and successive calamities which have befallen, brethren, we consider that it is *too slowly* that we have turned to your needs, beloved, and to the impious and unholy sedition which a few in their rashness have lighted up."

Now I quite admit that any ingenious controversialist

[1] Eusebius H. E., IV. 23.

could quite easily explain all this away. But the point is that it is at the beginning of a long line of similar documents, and that there is absolutely no reason for explaining it away.

The beginning of the second century gives us the letters of St. Ignatius. Here we find a bishop of Antioch writing to the Roman Church laudatory epithets which have no parallel in his addresses to other churches; he coins new adjectives: *ἀξιόθεος, ἀξιοπρεπής, ἀξιομακάριστος, ἀξιέπαινος, ἀξιοεπίτευκτος, ἀξιάγνος.* This Church "presides in the region of the Romans," it "presides over charity," and this apparently means "presides over the union of Churches." It is "united in flesh and spirit to every commandment of Christ," the Romans "are filled with the grace of God inseparably, and purged from any strange colouring." "I do not order you," he says, "as Peter and Paul did." Again no doubt we may explain all this away: the aged saint is enthusiastic for the city which is to see his desired martyrdom, and for the Church of Peter and Paul. But parallels, not much later, suggest that we should understand more than this, that Rome has a real presidency and a special gift of indefectible faith.

But it is surprising that one of the Apostolic Fathers should give so clear a testimony! Is it? Why should we expect less, and water down what we find? When St. Ignatius says, "You have grudged martyrdom to no man; you have taught others; and I wish that your instructions and injunctions be observed," he must be referring either to the letter of Clement, or to similar epistles of the Roman Church. Since his condemnation and departure from Antioch, he adds, "the Church

in Syria has God for its pastor instead of me; remember it in your prayers; for Jesus Christ alone and your charity will be its bishop (ἐπισκοπήσει)" (Chap. 9). The natural meaning of this is that the Church of Syria will, until a new bishop is appointed, have no superior on earth except the Roman Church. It might mean less than this, but the general tone of St. Ignatius with regard to Rome suggests that he is in harmony with the rest of the second century.

We will jump to St. Irenaeus about seventy years later. Everyone will remember the passage (*Adv. Haer.* III. 3, 1), in which he speaks of "the tradition of the very great and very ancient church known to all men which was founded and constituted by the most glorious Apostles Peter and Paul; by its traditions and its faith announced to men, which has come down to us through the succession of its bishops, we confound all those who gather where they should not." In the next paragraph you may translate *convenire* "agree" or "resort" as you please; the main point is that Irenaeus speaks of the *potentior principalitas*, the "more powerful headship" of the Roman Church. He gives the list of the Popes, and says: "Now Eleutherius holds the episcopate, the twelfth after the Apostles. In this same line, in this same succession, the tradition of the Apostles in the Church, and the preaching of the truth has come down to us; and this is a full and entire proof that it is one and the same life-giving faith which has been preserved till now, and has been transmitted in all truth."

This passage has been explained variously, but the whole of it has never been explained away. To see its full bearing, we must recollect that up to this time (say 185),

no Church apparently had fallen into heresy and been cut off from unity. Marcion had indeed founded an organized Church with bishops of its own; but as yet it remained unique, so far as we know. The heretics of the second century were lecturers, professors of dogmatic theology, whose schools only gradually and later became sects. They all came to Rome, and were successively condemned there. Caspari has enumerated them, from about 140 to 220: Valentinus and Cerdo, then Marcion; Apelles, Potitus, Basilicus, Syneros; Marcellina the Carpocratian, Theodotus the shoe-maker, with Asclepiodotus and Hermophilus and Theodotus the banker, and Artemon, Praxeas, Epigonus, Cleomenes and Sabellius, the Montanist Proclus, Alcibiades of Apamea, probably also Tatian and Rhodon—a formidable list. Other churches, had, of course, rejected heretical teachings, yet we hear next to nothing of this; but we hear of each heresy that its representatives went to Rome, and that they were excommunicated by the Popes.

This is what was happening at the time that St. Irenaeus, quoting St. Paul's words, proclaims the faith, "announced to men," of Rome, and by her tradition and her line of bishops confounds all false teachers. German Protestants like Sohm, Caspari and Harnack have made so much of the greatness of the Roman Church in the second century, that I need not dwell upon it. In one of the last years of the century we hear of the earliest Church Councils of which we have any certain knowledge. From Gaul in the West to Osrhoene in the far East, the bishops gathered in synod to decide on the observance of Easter, evidently at the request of Pope Victor. Only the province of Asia with

some neighbouring churches disagrees with the rest, and claims a tradition from St. John. Pope St. Victor tries, says Eusebius, to cut them off from the common unity, and in fact wrote to excommunicate them. Many bishops strongly remonstrated; St. Irenaeus tried to make peace. Two points are important: first and chief, Victor claims the right of initiating councils throughout the Church, and of enforcing their decision; he is the centre and guardian of the κοινὴ ἕνωσις, the common unity, and can cut off apostolic churches from the Catholic Church. Secondly, the bishops had a perfect right to complain of his harshness; Victor was not infallible on this point. Yet the event showed Victor to be in the right; and we hear no more of any Quartodecimans in Asia in the third and fourth centuries, though there were a few there in the fifth. The Councils of Arles and Nicaea took Victor's view, and any one who did not keep Easter on a Sunday was cut off from the Church.

This is the first instance we happen to hear of in which the action of a Pope is criticized or even resisted. There are others, now and then, all through the centuries, though not very often.

How are we to interpret such phenomena? We do not really know very much about patristic times. We know a great deal about exceptions, about misdeeds, and squabbles, and heretics, but very little about the general run of things, and we gather the daily life of Christians from incidental remarks here and there which throw a flood of sudden light. We sometimes hear of most important facts merely from a single casual sentence in a single writer, but there are vast regions of everyday observance as to which we are almost wholly in the dark.

With regard to the rights of St. Peter and his successors the amount of actual matter in early documents is considerable. But it is chiefly concerned with exceptional cases. The Papal power is twofold. There is his magisterial or teaching power, in which he is infallible, and his governing power, in which he is not infallible, though he has no superior on earth. All authority gets contested and disobeyed or grumbled at.

It is when the Papal power is grumbled at or disobeyed, or possibly even contested, that we are apt to hear of it. We know but little of its ordinary exercise.

Consequently it is easy for historians to minimize its ordinary exercise. They can point to a series of occasions when the Popes have asserted their prerogative and it has been resisted. See, they cry, how ambitious, how masterful, and in the long run, how successful the Papacy has been; it began, no doubt, from small things, and its pretensions were of course resisted at every step; yet the Roman spirit of domination preserved and consolidated its power, until it reached the arrogance of a Hildebrand and a Boniface VIII.

But this theory will not work. For if these claims were only made fitfully, and were contrary to a general tradition, the evolution remains unexplained. It is not merely natural, but unavoidable, that we should infer, on the contrary, that the claims were habitually made, and only occasionally resisted. As a fact we have a good deal of corroborative evidence that the claims were absolutely continuous, and were regularly uncontested. We have also the important fact that there is no evolution in the claims; they are just as great in one century as in another. Further, they were just as often, or

more often, resisted in the later centuries when compared with the earlier. Lastly, in the cases of resistance, it happens to be always the Pope who is in the right, and his opponents, whether heretics or emperors or eminent saints, who are in the wrong.

(2) The Third Century.

In the middle of the third century two famous dissensions arose, the Novatian schism, and the question of the re-baptism of heretics.

Novatian was elected as a rival Pope to Cornelius. We hear similarly of two rival bishops at Carthage, and in Spain, and no one outside those churches took much heed. But because there were two rival bishops at Rome, the whole Catholic Church was convulsed, not merely Italy, and Gaul, and Spain and Africa, but Antioch and Tyre and Palestine, all Asia, Pontus and Bithynia, Cilicia and Cappadocia, Syria, Arabia and Egypt (Dionysius apud. Euseb. *H.E.* VII. 5). St. Cyprian tells us that Novatian "assumed the primacy," sending out his new apostles and creating new bishops (*Epist.* 55, 24). Like an ape, "he claimed the authority of the Catholic Church and its truth for himself, and declared that the Church is with him, and that we are heretics" (*Epist.* 73, 2). Hence St. Cyprian regards those who desert Novatian and acknowledge Cornelius, as returning to Catholicity; to join the true Pope is to return to the "root and mother." St. Cyprian calls the Roman See "the place of Peter," "the chair of Peter," "the origin of the unity of the episcopate, to which heresy can have no access." All this is in accordance with what we have seen in the second century. The other dissension is much more famous.

St. Cyprian assembled a council of 31 bishops, and persuaded them to decide that all baptism administered outside the Church by heretics or schismatics is invalid. He wrote eloquent letters to obtain adhesions to this theory, which he had borrowed from the heretic Tertullian, treating all objections as absurd and impious. He got together a second council of 76 bishops, and yet another of 86, and obtained unanimous assent by the ascendancy of his primatial position. Yet he amazes us by continuing to declare that the question is an open one, and that each bishop can decide as he pleases, though he is a fool and a knave if he disagrees with the bishop of Carthage.

In Cilicia and Cappadocia and in some neighbouring churches the same view was taken. Pope Stephen issued a decree that baptism by heretics, if administered correctly, was valid and could not be repeated. He threatened to excommunicate the Cilicians and Cappadocians, thus annulling the councils they had formerly held at Synnada and Iconium. St. Dionysius,bishop of Alexandria, the greatest see after Rome, wrote to Pope Stephen that this was a grave matter, and he wished for information. Some years later he wrote again to Pope Xystus, asking what he ought to do in a particular case, of which he gives details.

St. Cyprian, on the contrary, wrote a letter to a bishop named Pompeius, in which he says that Stephen was wholly in error, off the point, "ignorant and thoughtless," "harsh and obstinate." "A bishop," he writes, "ought to be docile as well as a doctor"; it is presumptuous and contumacious of the Pope to defend his own false views, instead of consenting to the right and truth explained by another. St. Augustine naturally remarks

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that St. Cyprian would have done better to apply these words to himself instead of to his opponent.

It has repeatedly been demonstrated—and without any difficulty—that St. Cyprian held a peculiar theory of the episcopate—every bishop is independent, and can act as he pleases, and cannot be interfered with in his diocese. It is easy to prove this by his words—yet it is a theory which is belied by everything we know of his actions, and by a great many of his other words. The fact is that he had only a working theory, which was anything but rigid. He was always concerned to establish his own authority, first against five of his own priests, then against the deacon Felicissimus, against the rebellious confessors in prison, against the rival bishop Fortunatus, against bishops who disagreed with his policy or his theories. St. Cyprian did not see that the question of re-baptism was a question of doctrine; he regarded it as a question of practice. The Pope is not infallible in mere matters of ritual as such, for they are constantly being altered; and it is not surprising that St. Cyprian conceived that he had a perfect right to disagree with St. Stephen. Did he claim the right to disobey, and did he actually disobey? We do not know. Stephen died; Cyprian was exiled in the following year, and suffered martyrdom in the next.

As to St. Cyprian's so-called theory of the episcopate, "it is of no importance except for his own biography." But "it is just when we realize how strongly Cyprian felt about this authority of bishops that we see how important are his admissions and his silences on the subject of Rome. Here we have, not his own theorizing, but current ecclesiastical views which he could not avoid

assimilating."[1] But what is the most important for history is Stephen's claim to cut off whole churches in East and West from Catholic unity, and to annul the decisions of large councils.

As for Cyprian's authority, the Church decided against him at the great Western Council of Arles, and the ecumenical Council of Nicaea. Oddly, the Novatianists followed him, whereas the Catholics followed Stephen. As for the Fathers, "Optatus is a complete antidote; Augustine holds his views to be heresy, and his conduct reprehensible, though his martyrdom atoned; St. Jerome speaks yet more clearly; St. Vincent of Lerins says that Stephen behaved just as befitted the high place he held." Many moderns "in appealing to Cyprian neglect his main doctrine, the necessity of one Church, and appeal to his error, with the Donatists and Luciferians."[1]

Time prevents my saying any more about the third century.

(3) The Fourth Century.

The history of the Arians of the fourth century has sometimes been written with the Pope almost left out. St. Athanasius appealed to the Pope, obeyed the Pope's summons, and was acquitted by the Pope. The Eusebians used flattery and guile; they pretended to appeal to Pope Julius, and evaded obedience. The Pope quashed their council of Tyre. The great council of Sardica instituted a new system under which metropolitans or bishops of the East, who wished to appeal to the Pope, need not appear in person in Rome, as had

[1] I take these words from my article in *Revue Bénéd.*, 1910, p. 455. [2] *Ibid.*, p. 456.

been till then the law; the Pope can order a new trial to be held in the province, appointing the judges himself; no successor to an accused bishop can be appointed, until Rome has given a final decision. If, on the other hand, a bishop actually goes to Rome, the Pope can have the matter settled by the comprovincials on the spot, if he prefers this course, or he can send a legate *a latere* to sit with them, or can appoint other judges, at his will. This is new canon law. It was understood that the Pope would not leave Rome, even to preside at great councils of the Empire, such as Arles and Nicaea, and Sardica itself. But until now his decisions had always been made at Rome with the help of a local council. To the Catholic bishops from all parts of the world assembled at Sardica under the leadership of Hosius and Athanasius and the papal legates, it seemed that the great hope for the Nicene faith lay in this novel idea of making Roman authority no longer a distant court of appeal, but a working reality in the most distant provinces.

But the tyranny of the heretical Constantius made these canons inoperative. The Emperor determined to force the Pope to his will. The next Pope, Liberius, made a heroic resistance; so he was kidnapped and exiled for two years. Thereupon the Eunomians, the Homoeans and the Semi-arians each declared that he had embraced their particular formula. Fortunatian of Aquileia hawked about an improbable letter, in which Liberius confirmed the deposition of Athanasius; the latter heard the story in his place of hiding, and believed that the Pope's sufferings had broken down his former steadfast support. The Luciferians forged three letters in his name, in which he joins hands with the worst

of the Arian leaders. St. Jerome believed them. Socrates regards him as a confessor of the faith; and his epitaph at Rome was to the same effect. All but one of these conflicting rumours must have been false. The truth remains uncertain. But at all events we see how every party (except, of course, his enemies the Luciferians) was determined to claim the Pope on their side.

Liberius was sent back to Rome, lest the Romans should make a rebellion. Once free, he is firm as he was before his trials. When the bishops at the plenary Council of Ariminum were tricked into heresy, Liberius annulled the council, deposed the bishops who had signed, and permitted their restoration only if they repented and accepted the Council of Nicaea. He dealt in the same way with Eastern bishops who asked for his communion.

Under his successor Damasus, the Emperors Gratian, Valentinian and Theodosius abolished all toleration of Arianism by an edict of uniformity which they issued on Feb. 28th, 380. This law is famous as being the first in order in the Codex of Justinian. It has intrinsic importance as marking the end of the Arian troubles of the fourth century, and the complete reunion of the East with the West.

How is this reunion effected? We might have expected that all bishops would have to accept the Nicene decrees. Not at all. The edict simply makes the Divine Law of the Church the law of the State:

"The Emperors Gratian, Valentinian and Theodosius to the people of the city of Constantinople. We will that all the peoples who are ruled by the authority of our clemency shall hold to the religion *which is demonstrated*

to be that which the Divine Apostle Peter delivered to the Romans by the religion which has been up till now imparted by him, and which it is known that the Pontiff Damasus follows, and Peter, Bishop of Alexandria, a man of apostolic holiness, that is to say, that according to the teaching of the apostles, and the doctrine of the Gospel, we should believe in one Godhead of the Father, Son and Holy Ghost, in co-equal majesty and Holy Trinity. We order those who follow this law to take the name of Catholic Christians; all others, mad and insane, we condemn to the infamy of heresy, and they will be punished in the first place by Divine vengeance, and also by our penalties, wherein we follow the Will of Heaven."

So, forty years before, Pope Julius had written to the Easterns in the famous letter which St. Athanasius had preserved to us: "What we have received from Blessed Peter, that I declare to you." Theodosius now makes it a law of the Empire that the name of "Catholic Christians" shall be borne only by those who hold the Faith which Peter originally delivered, and has ever since preserved, in Rome.

(4) Councils, Papal Decretals and Imperial Laws.

Among all the Popes before St. Gregory, St. Damasus seems to have had the most commanding position. Yet it is after his death that the official line of papal decretals begins. These were collected soon after the year 500, under Pope Symmachus, by no less a person than the Scythian monk, learned in Greek and Latin literature, to whom we owe our actual Christian era, Dionysius Exiguus. To these letters of the Popes, from Siricius, who died in 398, to Anastasius who died just

one century later, Dionysius joined a collection of canons of councils, beginning with fifty of the pseudo-apostolic canons, and ending with Chalcedon in 451. This is the nucleus of Western canon law, which has always consisted mainly in the decretal letters of the Popes. The original collection was soon added to under Pope Hormisdas, *c.* 520. From this time onwards we have letters of almost every Pope. Of certain more celebrated Pontiffs large collections are extant, as of St. Leo, St. Gelasius, St. Hormisdas, John VIII, Nicholas the Great, and above all the enormous *registrum* of St. Gregory. These letters were laws. When the unknown forger, "Pseudo-Isidore," wished to alter and amplify the current canon law in the ninth century, his chief notion was to invent decretal letters of Popes. He knew his century, and what it regarded as the essence of law. He did not forge in the papal interest; he assumed that the word of a Pope is law.

Was this the doctrine of the Church in the opening years of the sixth century? We have only to read the first letter in the Dionysian collection. It is a letter of Pope St. Siricius to Bishop Himerius of Tarragona in Spain. He had written to consult Pope Damasus, who was dead when the messenger reached Rome. Pope Siricius's reply will tell us what Abbot Dionysius the Little thought, as well as what Siricius taught towards the end of the fourth century. It is dated January 25th, 385, four years after the Council of Constantinople, five years after the edict of Gratian. St. Jerome was about to settle at Bethlehem for a quarter of a century of learned leisure. St. Augustine was not yet converted. St. Chrysostom was just being ordained priest at Antioch, and was on the point of beginning his marvellous series

of sermons. The most influential man in the Church was probably the great St. Ambrose, the bishop of the Western metropolis, Milan, who had still another dozen years to run of his honoured career. The date is a central one. Let us hear what the new Pope thinks of his own office.

He tells the Bishop of Tarragona that he finds as much for blame and correction as he could have wished to find for praise, "but the consciousness of our position denies us the possibility of passing over or being silent; we who have the greater zeal for all Christians, bear the burdens of all who are burdened; nay, it is the Blessed Apostle Peter who bears them in us, and (we are confident) protects and guards us in all things, as the heirs of his administration."

Siricius proceeds to lay down laws on a host of subjects. On one point, as to the times for baptism, he says: "Let the errors in this matter now cease. Henceforward let all bishops hold the above rule, unless they wish to be torn away from the solidity of the Apostolic Rock, upon which Christ has built the Universal Church."

He concludes: "We have explained, dear brother, I think, all the subjects as to which you complained, and we have given, I believe, sufficient answers to every case which you referred by our son, the Priest Bassianus, to *the Roman Church, as to the head of your body.* We now incite your Fraternity's mind more and more *to observe the canons* and *to hold to the decretal constitutions.*"

Note here the two categories which we find in Dionysius, specified already in the fourth century: "canons" of councils and "decretals" (or more commonly "constitutions") of Popes. Note also that this first

decretal of the Dionysian collection presupposes a long series of decretals before it, well known in Spain before 385.

The Pope goes on: "So that you may bring to the knowledge of all our fellow-bishops (and not only of those who are in your province, but also those of [New] Carthage and Baetica, Lusitania and Gaul, and those who are in the provinces which lie on either side of you), what we have written in answer to your consultation; let what we have disposed for your health, be sent on, with letters from yourself. And *although no bishop of the Lord is allowed to be ignorant of the statutes of the Apostolic See or the definitions of the venerable canons*, it will be more useful and for yourself very glorious if, on account of your seniority as bishop, what has been written as a general rule, but addressed to your name in particular, is by your care brought to the knowledge of all our brethren, so that what we have constituted, not without consideration, but with forethought and great caution and deliberation, shall be obeyed, and every possibility of excuse (which even now we should not admit) shall be removed."

The decrees which follow in Dionysius of the great Pope Innocent, of the unfortunate Zosimus, of Boniface, of Celestine, of Sixtus III, are supplemented by many other letters extant in other collections. They are all in the same tone; and the numerous historians who repeat each other's thesis, that St. Leo the Great's letters are the beginning of, or mark a new era in, the papal supremacy, are guilty, to my mind, of an ignorance which is *crassa* it not *affectata*.

From the decretals we turn to the councils. The first ecumenical Council of which acts exist is that of

Ephesus in 431. Its first session was presided over by St. Cyril, Patriarch of Alexandria, who "took the chair," not as bishop of the second see in the Church, but explicitly as representing Pope St. Celestine, to carry out that Pontiff's sentence of deposition against Nestorius. The Council deposes that heretical Patriarch, "being compelled thereto by the letter of our most Holy Father and colleague, Celestine, Bishop of the Roman Church."

When at the next general Council (Chalcedon, 451), Dioscorus of Alexandria is deposed, again it is not done by the authority of the council; but the 600 Eastern bishops beg the papal legate to pronounce the sentence, which he does; he recites his crimes, and concludes: "Wherefore the most holy and most blessed Archbishop of great and elder Rome, *by us and by the present most holy Synod*, together with the thrice blessed and praiseworthy Peter the Apostle, who is the rock and base of the Catholic Church and the foundation of the orthodox faith, has stripped him of the episcopal and all priestly dignity; wherefore this most holy and great Synod will vote what is in accordance with the canons against the aforesaid Dioscorus." Every bishop thereupon expressed his assent to this formal deposition, and signed it.

But the occasions on which the Popes confirmed or annulled councils or deposed patriarchs are frequent enough. Let us turn from the ecclesiastical councils and decretals to the imperial laws. These consisted of decretal letters, similar to those of Popes. The Dionysian collection having been made about 505–10, the collection of imperial letters—the *Codex* of Justinian—was formed by Tribonian in 528–9. (I wonder whether

Justinian borrowed the idea from the Scythian abbot.) I have already quoted the first law of the Codex, the edict of Gratian. The second, another letter of Gratian, makes the Council of Nicaea obligatory; in the third, Theodosius II imposes the Council of Ephesus; in the fourth, the Council of Chalcedon is proclaimed by Marcian under penalties. We then arrive at Justinian's own laws. The fifth and sixth are confessions of the Faith of the Catholic and Apostolic Church; the seventh was addressed in 533 to Epiphanius, Bishop of Constantinople, against Nestorians and Eutychians. Referring back to the reunion which had been accomplished between East and West fourteen years before, the great legislator, now lord of Italy and Africa as well as of the Greek-speaking world, declares: "We preserve by all means the agreement of union of the holy churches with the most holy Pope and Patriarch of elder Rome, to whom we are also writing. *For we do not suffer that anything which touches the state of the Church should not be brought before his Blessedness, as being the head of all the most holy Bishops of the Lord, and because as often as heretics have arisen in these parts, they have been brought to naught by the sentence and just judgement of that venerable See.*" The next number is the actual letter to Pope St. John, so soon to die in a prison at Ravenna. The opening runs thus: "Ascribing to the Apostolic See and to your Holiness the honour which was and is always our wish, and, as is right, honouring your Blessedness as a Father, we hasten to bring to the knowledge of your Holiness whatever concerns the state of the churches; for it has always been our earnest desire that the unity with your apostolic see and the state of the holy churches should be

preserved, as it has up till now subsisted and remains firm without any contradiction. For this reason we have hastened [in 519, that is] to make subject and unite to your Holiness all the bishops of the entire East." Then follow almost the same words I have quoted from the preceeding law, and, "In all things we desire that the honour and authority of your see should increase." Two letters of the Pope himself are then inserted.

Now the Magdeburg centuriators and other early Protestant historians, followed in the late nineteenth century by the "Old Catholic" Langen, tried to find the origin of the papal authority precisely in such imperial laws. A special favourite to quote was a law of Valentinian III of 445,[1] in the case of St. Hilary of Arles: "It is certain that for us and for our Empire the only protection is in the favour of the Godhead on high, to merit which the first means for us is the Christian faith and venerable religion. Therefore, since the primacy of the Apostolic See has been established by the merit of St. Peter, who is the head of the circle of bishops, by the dignity of the city of Rome, and also by the authority of the sacred Synod,[2] let not presumption attempt any illegality contrary to the authority of that See. For *the peace of the churches will be preserved only if they all acknowledge their ruler.*" There is nothing new so far. Sixty years before, the anonymous commentator known as Ambrosiaster had written: "The Church is the house of God, whose ruler now is Damasus." What is essential in this law is merely that the secular arm is to support the existing law of the Church.

[1] No. 11 among St. Leo's letters. [2] Meaning Nicaea.

"Henceforward the bishops of Gaul and of the other provinces shall attempt nothing without the authority of the venerable Pope of the city; but let whatever the authority of the Apostolic See has sanctioned or shall sanction be a law for them; so that if any bishop shall neglect to appear when summoned to the judgment of the Roman prelate, he shall be obliged by the ruler of the province to be present, all the privileges granted to the Roman Church by our parents being preserved." Further, any judge who allows this precept to be violated is fined twelve pounds of gold! But we have only to consult the letters of many provinces to previous Popes, from Damasus onwards, to see that the bishops of every Western province already acknowledged and regularly invoked the papal rights which an Emperor here confirms with new penalties, though they were already recognized by the common law.

But the theory that the papal rights were given by the Emperors is too impossible to argue about, since history shows the Emperors as the chief obstructors of them. They knew them to be a part of the Roman law; they enforced them when it was convenient, and over-rode them at will; but they were rights which had been claimed, admitted, exercised long before the Empire became Christian.

(5) Reunions of East and West.

I have spoken of papal laws and imperial laws. Let us see them in action on those great and joyful occasions when reunion took place. Reunion was needed, because the Eastern Church was continually being cut off from Rome and the West for lengthy periods by heretical emperors. In each case, of course, Rome was

right, and Rome was orthodox. In each case there is no trace whatever of Rome's infallibility or ecumenical authority being denied in theory. The principal schisms to which I refer are five heresies: the Arianism of the fourth century, Monophysitism and the Acacian schism in the fifth, the Monothelite schism in the seventh, Iconoclasm in the eighth, and as sixth I add the shorter Photian difficulties in the ninth.

1. We have already seen the reunion of 380, under Gratian. His edict obliges all to embrace the faith delivered to the Romans by St. Peter. The East breathed again, and was free to be at peace and Catholic. St. Gregory Nazianzen, who led the bishops to reunion at the council of Constantinople in the following year, expressed the feelings of the orthodox in a poem: "The faith [of Rome] was of old, and is still, in the straight path, binding together the whole West with her saving word, as is right for her who presides over all." In the next year again that troubled council concluded its sittings by writing to the Pope and his Roman council, calling themselves his "members," and Damasus replied to them as most honoured sons, saying that they conferred the greatest honour on themselves by paying due reverence to the Apostolic Chair.

2. The next important reunion is after the outbreak of Eutychianism at Constantinople and its victory at the Robber-council of Ephesus; it took place in the Council of Chalcedon in 451, at which more than 600 Eastern bishops had to accept St. Leo's tome, in spite of the fears of many of them, and were obliged by the Papal legates, supported by the imperial commissioners, to draw up a definition of the Two Natures in Christ. They finally wrote to the Pope that he had been "the

interpreter of the voice of Peter to all," that in the person of his legates he had presided as the head over the members. Dioscorus had added to his other crimes that he had stretched out his hand "against him, who was entrusted by the Saviour with the guardianship of the vine, we mean your Holiness." The canons they had made they reserved for his confirmation. "Let the Head fulfil what is proper for its children." St. Leo promptly confirmed the council, but annulled the last canon, which gave patriarchal rank to Constantinople.[1] The bishop of that city wrote a cringing apology. The Emperor praised the Pope's conservatism, and made the council (except this canon) a law of the state, as soon as he was certain that the Pope had really confirmed it.

3. Thirdly, after about 35 years of the Acacian schism, during which the orthodox of the East had been almost entirely prevented from communication with Rome by the Emperors Zeno and Anastasius (who had tried for the first time in the Christian Church to unite dissidents by the plan of "comprehensiveness"), a new Emperor, Justin, turned out to be orthodox, and with his nephew Justinian applied to Pope Hormisdas for reunion. The Pope sent legates with a *libellus* or petition to be signed by every bishop if he was to be received to communion. This famous formula had been sent a few years before,

[1] Especially on account of the words: "The Fathers very properly ascribed its privileges to the See of elder Rome, because that was the seat of Empire," for this passed over the "Petrine" rights of Rome, Alexandria and Antioch. The canon assigns "equal privileges" to Byzantium, that is, it is to be second in rank, and to ordain the metropolitans of Thrace, Asia and Pontus, as it had long since done. This was still refused by St. Gelasius, but tacitly allowed by St. Hormisdas and his successors, and the rank of Constantinople after the Pope, who is the first of all bishops, was made a law by Justinian in 545 (*Novellae*, 131, cap. 2).

but fruitlessly, to the Emperor Anastasius, who was playing at orthodoxy out of fear of the victories of the orthodox general Vitalian. A declaration was to be made that the truth of the Lord's words, *Thou art Peter, and upon this Rock I will build My Church,* "has been proved by facts, because in the Apostolic See the Catholic religion has always been preserved without spot." This reminds us of Irenaeus and Cyprian, as well as of Gratian's edict. Next, all the heretics, together with the "comprehensive" Acacius, and all who have been in communion with him, are condemned; "Wherefore, as we have said, in all things following the Apostolic See, and praising all its constitutions, I hope that I may merit to be with you in one communion, which the Apostolic See preaches, in which is the full and veritable solidity of the Christian religion." In some cases the bishops were allowed to leave on the diptychs of their churches the names of predecessors who had fought against heresy, but had been unable to enter into actual communion with Rome. But not a word could be altered in the *libellus* itself, which had to be signed by each bishop in person, and sent to the Pope.[1] Thus was the East reunited, all but the Monophysites, who had a firm hold of almost all Egypt, and much of Syria. Very soon no less than two thousand five hundred *libelli* had been stored in the Roman archives. The only difficulty encountered by the papal legates in the East was the reluctance of some to condemn their more or less orthodox predecessors. We do not hear of any suggestion that the papal claims were too strong, or unexpected,

[1] There are variations in the wording of the *libellus* as signed by various persons, due to translation into Greek, and re-translation. These variants do not touch the words about the Apostolic See.

or in the least unpalatable in any part of the East. The bishops assembled at Constantinople to meet the legates on their arrival were asked whether the *libellus* was true. They replied that it was perfectly true.

4. The next great reunion was consummated, after a long period of Monothelitism, in the sixth general council in 680. The proceedings were quite simple. The bishops simply accepted Pope Agatho's dogmatic letter, in which he proclaimed the inerrancy of the faith of Peter and the Roman Church, and they begged him to confirm the council, which he did. Pope Honorius was condemned; but the infallibility of the Apostolic See was again and again asserted and acclaimed; it was the absolute condition of reunion, and not a voice was raised against it. The council wrote to the Pope: "We leave to you what is to be done, since you occupy the first see of the universal Church, *and stand on the firm rock of the faith*," they recognize his letter "as pronounced by the chiefest Head of the Apostles." The Emperor's edict, by which the decisions of the council became a law of the state, asserted: "These are the teachings of the voices of the Gospels and the Apostles, these are the doctrines of the holy Synods, and of the elect patristic tongues—these have been preserved untainted by Peter, the rock of the faith, the head of the Apostles; in this faith we live and reign."

5. The fifth great schism was caused by the laws of the iconoclastic Emperor, Leo the Isaurian. The reunion took place at the seventh ecumenical council at Nicaea in 787. The 350 bishops simply accepted the letter of Pope Hadrian by acclamation, with all its usual words about the faith of Peter and the authority of his see.

6. Lastly, in the eighth general council in 819, which condemned Photius, the bishops were one and all told to sign a revised edition of the formula of Hormisdas.

Looking back on all this history, we see that bishops disobeyed the Pope when in fear of the Emperor, or for heretical reasons, but never from any dislike of the "Roman claims." Such a dislike or restiveness or jealousy is a pure fiction, read into the history by Protestant and Gallican historians. Even Photius did not in reality deny the Papacy when he excommunicated the Pope, for he invoked Roman authority whenever he found it useful. The other schisms were all caused by the Emperors.

I am not forgetting that the Easterns and Westerns came to dislike each other's customs, and that in the council *in Trullo* of 691 the Easterns manifested a clear disapprobation of a number of Western usages. These prejudices had grown up through long estrangement; yet the Pope was asked to confirm that council, and the Emperor tried to oblige him by force to do so, but failed. So important was it for Eastern usages to have the sanction of the Apostolic See.

There were, of course, many minor schisms. I will instance three. 1. In 536 Justinian supported the heretical patriarch Anthimus, whom Theodora's influence had intruded into Constantinople; the great theologian who was Emperor had to sign the formula of Hormisdas, and present it to Pope Agapitus.

2. There was a recrudescence of Monothelitism under Philippicus; when this usurper fell in 712, John, Patriarch of Constantinople, wrote to Pope Constantine begging for reunion, apologizing for his own fall, and using the

usual Byzantine language about the Pope's headship, and his duty as Peter to confirm his brethren.

3. On the death of the Empress Irene in 803, iconoclasm broke out afresh. St. Theodore of the Studium, the most famous of Byzantine abbots, wrote to the Pope for help, calling him the rock of the faith, on which the Church is built. "For Peter art thou, who adornest and governest the chair of Peter." To the Emperor he wrote to "order that the declaration from Old Rome be received, as was the custom by the tradition of our Fathers from of old and the beginning; for this, O Emperor, is the highest of the churches of God, in which Peter first held the chair, to whom the Lord said, *Thou art Peter, and upon this rock I will build My Church, and the gates of hell shall not prevail against it.*"

How did the great schism between East and West come about? Not by a protest, or a series of protests against the growth of papal power—there were no such protests; and the papal power does not seem to have increased. Not even by the pride and ambition of the patriarchs of Constantinople. I dare say some of them were ambitious enough, though I believe St. Gregory the Great committed a blunder when he made so much fuss about the title "ecumenical bishop," which meant no more than "patriarch." For the most part those patriarchs had no chance of being too ambitious, as they were merely the ministers through whom the emperors governed the Eastern Church.

The true cause of the schism is plain on the face of history; it was the foundation by Charlemagne of the Frankish empire, which caused an unavoidable jealousy at the court of Byzantium. This was the reason for Photius's clever move in accusing the Franks of heresy,

for inserting *Filioque* in the Nicene Creed, though this was not done at Rome. But it was only much later that the Papacy, as an institution, was attacked; and only in the eleventh century did Michael Caerularius declare the Pope a heretic, principally on account of the use of unleavened bread, a perfectly absurd plea. The Crusades made new causes of hatred; yet the great Byzantine canonists Balsamon and Zonaras did not deny all the past rights of the Roman See, but declared them dead, since it had become heretical! Even now there was no permanent break, but occasional reunions, when the Byzantines needed Western assistance against the Turk. In the great reunions at Lyons in 1274 and at Florence in 1439, the Easterns had again to own themselves in the wrong, though they accepted papal authority and infallibility in milder words than early popes had insisted upon; for the new scholasticism was less florid in language. It was only by the taking of Constantinople by the Turks in 1453 that the breach became irreparable; for the patriarchs of Byzantium passed then into a dependence on the Sultan more humiliating than their former subservience to Christian emperors.

But the acts of the councils, imperial laws, Byzantine and Russian service-books, together with the writings of Eastern saints and doctors and bishops, remain to testify how whole-heartedly Byzantium ever turned to Rome for redress and help and union and faith. At Constantinople the people used to remain obstinately Catholic under heretical emperors. The most regular of the monasteries were devoted to Rome, especially that of the ἀκοιμητοί. The most famous teacher and reformer of Byzantine monachism are St. Maximus, who gave his

life for Roman authority and faith; and St. Theodore the Studite, whose teaching about the Papacy was as strong as the proudest Pope could desire!

I do not quote more, as I have not quoted the great Fathers of East and West. I have chosen rather to speak of laws, ecclesiastical and imperial, of councils, of reunions. I conclude by saying that the evidence from the second and third centuries seems to me identical in character with the fuller evidence of later centuries. There is development in the circumstances, the conditions, but I do not see how to trace any development in the papal claims themselves. Perhaps if our information were more complete, we should find some reasons for thinking that Rome gradually grew more conscious of her rights and powers. As it is, I think it is an illusion to suppose we can find any difference of theory in the early centuries, any anticipations of Protestants or Gallicans or "Old Catholics," or even of the conciliar theories of the fifteenth century. It seems to me that all the early centuries are at one in holding the authority and infallibility of Rome quite simply and quite plainly under varying conditions as a divine tradition made credible by experience of its value and its necessity to the Church of God.

BIBLIOGRAPHICAL NOTE.

I am quite aware that I have no right to dogmatize on this subject. But in order to show that I have not neglected the original authorities, I append a list of articles or pamphlets which I have published (mostly many years ago), about the papal power. They will show that I am not making mere statements without something to back them; and I dare say those who want good quotations from the Fathers on this question may find some useful ones, quoted in the

proper setting. I place an asterisk* against one or two which are technical and dull.

1. *Revue Bénédictine*, 1895, XII, p. 49: *Le témoignage de saint Irénée en faveur de l'église romaine.*

2. *Ibid.*, p. 546: *Fides Romana*: a list of early passages where Rom. i. 8 ("Your faith is announced in the whole world") is taken to be a praise of Roman faith.

3. *Ibid.*, 1896, XIII, p. 385: *S. Ignace d'Antioche et l'église romaine.*

4. **Ibid.*, 1901, XVIII, p. 399, and 1902, XIX, pp. 13 and 145, *La chronologie des premières listes épiscopales de Rome.*

5. **Ibid.*, 1902, XIX, pp. 246 and 357, XX, p. 26: *Les interpolations dans le traité de S. Cyprien sur l'unité de l'Église.* In close connection with this are the articles in *Journal of Theol. Studies*, 1903, IV, p. 103: **The Order of the Treatises and Letters in the MSS. of St. Cyprian*, and 1904, V, p. 634: *The Interpolations in St. Cyprian's "De Unitate Ecclesiæ."*

6. *Revue Bénéd.*, 1910, p. 447, *Professor Hugo Koch on St. Cyprian* (I still hold to the views expressed in this article, which seems to me quite good).

7. *Ibid.*, pp. 22, 172, 325: **The Contested Letters of Pope Liberius.* The results of these three articles will be found summed up in my article *Liberius* in the *Catholic Encyclopaedia.*

8. *Ibid.*, 1913, XXX: ** On the "Decretum Gelasianum de libris recipiendis et non recipiendis,"* a defence of its authenticity against von Dobschütz's paradoxical view of it as a practically contemporary forgery.

9. *Dublin Review*, 1897, CXX, p. 88 and CXXI, p. 99: *The Holy See and Pelagianism.*

10. *Ibid.*, 1898, CXXII, p. 42: *St. Jerome and Rome.*

11. *Ibid.*, 1901, CXXIX, p. 98: *Apiarius.*

12. *Ibid.*, 1903, CXXXII, p. 73: *St. Chrysostom on St. Peter.* (These *Dublin Review* articles, 9–12, may still be found useful, I venture to hope.)

13. *Ibid.*, 1904, CXXXV, p. 366: *Pope Zosimus and the Council of Turin.*

14. *Ibid.*, 1905, CXXXVII, p. 29: *St. Athanasius and Pope Julius I.*

15. *Ibid.*, 1906, CXXXIX, p. 129 and 1907, CXL, p. 42: *The Condemnation of Pope Honorius.* This was republished as a 4d. pamphlet by the Catholic Truth Society.

16. *Bishop Gore and the Catholic Claims* (Longmans), 1905. (Now 1/3 paper covers; 2/- cloth.)

17. *The First Eight General Councils and Papal Infallibility* (C.T.S.), 1906 (contains useful quotations).

I have dealt with some of the other points which come up in this paper in the *Catholic Encyclopaedia*, in articles such as *Clement, Chalcedon, Cyprian, Ephesus, Eutychianism, Monophysitism, Monothelitism, Nestorianism, etc.*

IV.

THE SEPARATED EASTERN CHURCHES

By Père Michel d'Herbigny, S.J.

(1) The Separated Eastern Churches To-Day.

The separated eastern churches comprised before the War (1) the Nestorians, (2) the Monophysites, (3) the "Orthodox."

(1) *The Nestorians*, generally called Chaldaeans, survive in Persia, in Mesopotamia, and in India (where they form a small part of those who call themselves Christians of St. Thomas, at Malabar). They are not numerous. They recognize only one general council, that of Nice. They continue to protest against the Council of Ephesus (431); and the First Council of Constantinople (381) had not yet acquired ecumenical authority at the time of their separation.

(2) *The Monophysites*, who came into being chiefly as a result of political opposition to the Byzantine or Imperial Greeks ("Melkites"), are subdivided into the Copts of Egypt (about 500,000), the Ethiopians of Abyssinia (about 3 millions), the Jacobites of Syria, Mesopotamia and Kurdistan (about 80,000), and the Gregorian Armenians (about 3 millions). These Monophysites accept the Councils of Nice and Ephesus, but reject that of Chalcedon (451), from which their separation dates; they know nothing of the councils of Constantinople. This latter see remains for them the unjust and impious rival of the Coptic see of Alexandria. On

the other hand, they honour St. Athanasius, St. Cyril, Dioscorus and his successors, as well as the popes of the early centuries down to "the very great, very holy and pious friend of the incomparable Cyril, St. Celestin."

The Nestorians do not number 200,000; the four Monophysite groups reckon more than 6½ millions of Christians, but have no mutual relations. Dogmatic differences have little interest for them; it is their ethnical or national pretensions that perpetuate their existence. The Assyrians, for example, are unable to say definitely whether they are Monophysite, or Nestorian. One dominant anxiety among these ruins of churches once flourishing, is to preserve or even to multiply the episcopal sees of other days. Before the war these separated churches counted more than a hundred bishops.

Since the sixteenth century, nearly all these groups have experienced both Catholic and Protestant action. Their tentative movements towards union with Anglicanism are as yet recent, and none of them have had official success; but influences such as that of Dr. Bethune-Baker among the Nestorians, of Dr. W. A. Wigram among the Monophysites, of Mr. Harold Buxton and of various American sects among the Armenians, tend to diminish the positive elements in the religion of these separated believers. In consequence, there remains to these souls, often refined and complex, only a vague religiosity; for ritual and sacramental habits, too venerated to be abandoned, become merely superstitions if, owing to loss of faith, they lose their significance of sensible signs instituted by Jesus Christ for the sanctification of souls.

Various returns to the Catholic Church of a corporate character, led by bishops, have restored to unity more

than a million of these separated Christians, formerly heretics. As early as 1672, with the return of the Nestorian archbishop Joseph to the Church, there came into being the first Uniat (Catholic) Chaldaeans; the Catholic patriarchate of Babylon, erected for these Syro-Chaldaeans in 1702, numbered about 80,000 faithful at the beginning of the nineteenth century. The majority of the once Nestorian "Christians of St. Thomas"—nearly half a million, as against 70,000 still separated—have also been reconciled to the Church, some at one time, some at another. They are subject to four vicars-apostolic of the Syro-Malabar rite.

The union of the Syrian Monophysites began in 1586. These Syrian Catholics, as they are now called, became in 1781 a Catholic Patriarchate, entrusted since 1898 to the learned and venerable Mgr. Ignatius Ephrem II Rahmani, who lives at Beirut. By the side of this little flock of about 25,000 souls are to be found 300,000 Syrian Maronites, who boast of having kept always the Catholic faith; it is certain that since 1182 they have preserved themselves free from all heresy, subject to the Maronite patriarch of Antioch and his nine suffragans, and hallowed by the monastic traditions of a fruitful and intelligent race, wherein religious life finds diverse expression in several independent congregations of monks and sisters. The Armenian Catholics, organized more especially since 1701 by the priest Mechitar (1676–1749) and the congregations which owe to him their origin, obtained a patriarch in 1830, called the Patriarch of Cilicia; the office is now held by Mgr. Paul Peter XIII Terzian, whom events compel to reside for the present in Rome.

(3) *The "Orthodox" Christians*, composing the churches

of the seven first ecumenical councils, were divided before the War into fifteen independent, or, to adopt their own term, "autocephalic" groups, of widely varying importance.

Their own order of honour used to assign the first place to the four ancient patriarchates of the East; Constantinople, Alexandria, Antioch, Jerusalem. The jurisdiction of Constantinople, limited as it is to Turkish territory, still embraced in 1912 a million and a half, but preserved less than a million souls after the Balkan treaties of 1913, and is now reduced much further.

The Greek Patriarch of Alexandria entitles himself "Father and Pastor, Pope and Patriarch, Father of Fathers, Pastor of Pastors, Bishop of Bishops, Thirteenth Apostle, Judge of the Universe"; down to the present patriarch, Mgr. Photius, he used to direct with the help of a synod of four bishops without sees less than ten thousand faithful. The very rapid Greek immigration which has followed upon England's organization of Egypt has raised this number to a hundred thousand. Constantinople wanes, Alexandria waxes. Since 1908 Mgr. Photius tends to reject all influence, even of an indirect kind, of Constantinople upon his church; much helped by English travellers and administrators, he has created a whole hierarchy, organized dioceses, and has founded charitable institutions. He has publicly condemned as scandalous the election of the new Patriarch of Constantinople, Meletius IV, who had been opposing him for more than twenty years.

The Patriarchate of Antioch was torn before the war of 1914 by a fierce struggle between the Syrian majority (about 200,000) and a small Greek minority (about 25,000), who held all the offices. Thanks to Russian

support, the Syrians were gaining ground; nor have the efforts of Constantinople restored to the Greeks all their old influence.

The Patriarchate of Jerusalem for the last thirty years has also been passing through epic struggles. The old Patriarch Damianos has constantly proved the victor, especially over Meletius Metaxakis, whom he had expelled in 1909, and whose pseudo-election to the See of Constantinople in December, 1921, deeply offended him.

After these four ancient patriarchates, so poor in the number of their faithful, the Russian Church, independent since 1589, used to occupy the fifth place. Russia was the great orthodox power, with 100,000,000 faithful according to official statistics, whence were to be subtracted more than 20,000,000 Raskolniks, especially the Staroviertzi or Old Believers, bitter enemies of the state hierarchy, and themselves subject to bishops who were not tolerated in Russia till 1905. The Soviet tyranny and the Russian catastrophe are awakening the better souls, but are also tearing down many mere *façades*; the spectacle which remains before our eyes awakens the pity and the prayer of all Catholics.

Next to gigantic Russia, three Greek churches have won and maintained their "autocephalic" independence: (1) the church of Cyprus, where four bishops and 200,000 "orthodox" ever fight against each other in rival factions, while English generosity does its best to restrain the combatants; (2) the Hellenic Church of the Kingdom of Greece, which revolted against Constantinople by an act signed by 33 bishops on July 23 (August 4), 1833, and is subject to all the fluctuations of internal and foreign politics; (3) the church of Sinai, reorganized in 1860 in

absolute independence, reckoning about 50 Greek monks and some dozens of Bedouin.

The autocephalous churches of the orthodox Serbs were multiplying before the War, but they fused on July 17, 1920, and re-established the national Patriarchate of Karlovtci, the first holder of which, Mgr. Dimitri, was elected on November 12th of the same year. Good witnesses vouch for the fact that in this new Serbia Anglican influence counts for more than the authority of the first general councils; and perhaps the same is true of the Roumanian church, to which have just been joined in one national church the three metropolitan sees, formerly autocephalic, of Sibiu in Transylvania, Czernovicz in Bukovina, and Bukarest. The Bulgarian church, founded in 1872, is passing through crises as varied as that of the state.

Finally, since the War, in each new state the Orthodox organize themselves in autocephalic churches totally independent and often hostile to each other. Each of the Baltic states and of the Caucasian republics, the orthodox of Lithuania, and those of Poland, of Albania, of little Russia or the Ukraine, are creating new churches; Siberia desires one, as do also other fragments of the ancient empire of the Czars. At the same time sects are springing up, most of which call themselves orthodox, but have more regard for politics (of a more or less "red" type) than for faith.

These subdivisions, resembling as they do those of the Protestant sects, are regarded favourably by the latter, who seek to facilitate their development. In this cause, indeed, much ardour is displayed. The Methodists alone, according to their publications, devote some millions of dollars to the conquest of the Slavs, and of this sum

a great part to work in Poland. This constitutes a formidable influence, when half a dollar is enough for a day's maintenance on a generous scale; yet the souls thus won over are evidently not of the best.

Protestantizing influences have gained much ground in other parts also since 1850; in Greece, first of all, thanks to the reigning family; in Serbia, thanks to the clerics whom Anglican generosity has caused to be trained *gratis* at Oxford; in Cyprus, and recently at Constantinople, where the Patriarch Meletius Metaxakis has revived the propaganda of Cyril Lukar. Neither Protestantism nor Anglicanism, but downright irreligion will gain by these deviations. It is irreligion also that triumphs, in the last resort, by reason of Anglican success among the Russian emigrants; when their "orthodoxy" accepts communion with the Thirty-nine Articles, it means that it no longer holds to any positive Christianity. The vague religiosity that remains then takes pleasure in spiritism, in theosophy, in a nebulous dream of some new religion preached by a new Messiah; it identifies itself with what Augustin Sabatier used to call "the religion of the spirit," an absolute individualism which regards modern consciences as far superior to that of Christ. Protestant or Anglican teachers may find themselves unpleasantly surprised at what they discover in their eastern pupils.

The Catholic Church on her side aims at saving in these Christian souls, and in their hierarchical organizations, the entirety of the "orthodoxy" which they had preserved, while filling up its gaps. In particular, she must teach them to transcend national particularism in order to return to the universalist or catholic Church desired and founded by Christ; she must lead them to hear the voice

of the Good Shepherd, which makes itself heard through the teaching Church of the twentieth century, as through that of the eighth, the fifth, the fourth, or the first. The tree planted by Christ has not ceased to grow, and His Church has not undergone the essential change of having lost that ecumenical authority which defined dogmas infallibly during the first eight centuries of her history.

As regards corporate reunion, branches of considerable importance have grafted themselves anew on to this vine-stock. The unification of Brest-Litowsk brought back to the Church in 1595 nine Ruthenian dioceses. These Ruthenian Catholics, to the number of about 4½ millions in Europe and half a million in the United States and Canada, are grouped in eight dioceses under the authority of their metropolitan, the Ruthenian Archbishop of Lwow, Mgr. Andrew Szepticky. Besides these, there are about 1,200,000 Rutheno-Roumanians grouped in four dioceses under the authority of the Archbishop of Blaj (or Fogaras, or Alba Julia, or Gyula Fehervar).

If then one adds together all the Catholic Greco-Slavs, their total comes near to 6½ millions. Taking in the other oriental Catholics—Syrians, Armenians, Copts, Chaldaeans, Maronites—we arrive at a total of about 7,600,000 belonging to four main rites (Armenians, Copts, Greco-Slavs, Syrians), themselves subdivided into 13 sections and 87 dioceses.

That is an appreciable result, but it falls very short of what the universal mission of the Church compels her to desire, and by prayer and action to pursue. She must call to herself the totality of human souls; if Christ has died for the salvation of all, every Catholic, in order to conform with the aspirations of the Sacred

Heart of Jesus, must desire that the Church be able to communicate to all the graces of redemption, in the single fold, in the single Body of Christ—"that all may be one."

What are the chief difficulties in the way of such a return? They must be determined with precision, in order that they may be overcome.

To put it in a single word, according to the best of our belief, it was politics, or more exactly, national particularism, that brought about the successive ruptures in the past. This it will be easy to show. This diagnosis of the evil will help us thereupon to hit upon the remedies.

(2) The Main Cause of the Schism Political.

Among those grave religious differences which divide Eastern and Western Christendom, the most serious is that which we trace to Michael Caerularius, Patriarch of Constantinople from 1043 to 1058.

This schism has lasted for nearly nine hundred years, cutting off millions of Christians from Catholic unity, and paving the way for the subjection of these peoples to the Mussulman yoke and their progressive extermination and annihilation. Yet who dare deny that the responsibility for this rests even more with their own ecclesiastical leaders?

"Rather Turks than Papists." Not long since one of the principal exiled Russian prelates, the Metropolitan Antonin, expressed himself as follows:—"I find myself more in sympathy with a drunken Bolshevist than with a Bavarian Catholic." [1]

[1] Our authority is a Russian orthodox writer, the well-known M. Nashivin. Cf. *La Tyrannie Soviétique et le malheur russe*, by the present writer (Paris, *Spes* press. 1923), p. 227.

This hostility of the Eastern Church is due in truth, not to dogmatic questions, but to something far harder to deal with, a general mental attitude.

On the point of doctrine, prayer and study might perhaps bring about agreement; but to reawaken love in injured hearts we must look to Providence alone to work a veritable miracle, a miracle the more astounding as the severed relationship was closer. How reconcile with her mother a daughter who has become jealous of her?

Yet God wills this reconciliation:—"that all may be one." It is our absolute duty to work for it. The prayer of the Heart of Jesus at His Last Supper lays this as an obligation on every Christian. We must all unite then in this prayer, and so bear ourselves as to avoid causing new friction in trying to remove the old.

The rivalry of East and West is of long standing. It may seem extravagant to go back to the siege of Troy, or the victories of Athens over Persia, or even to the Roman conquests and the struggles of Caesar and Augustus against the eastern levies of Pompey and Antony; yet Orientals hark back to these memories whenever they give utterance to their dream of a world-wide hegemony, a mighty orthodox empire. Many Russians, even in 1917, felt such aspirations, and the present Patriarch of Constantinople, Meletios IV, on occasion of his taking possession of the metropolitan see of Athens, March 8, 1918, waxed eloquent over these Grecian day-dreams, seeing in them a pledge of pan-hellenic triumphs to come.

The political struggle, as modern Orientals still conceive it, began from the institution by Diocletian of the Tetrarchy, the division, that is, of the united

Empire among four Emperors, two bearing the title of Augustus and two of Caesar.

So soon as a definite line of division had marked out the two Empires, East and West, their alliance speedily changed into rivalry, their wars, beginning in jealous patriotism, ended in open hostility. Both called themselves the Roman Empire; but Constantinople, in taking the title of New Rome, aimed at humbling the Old Rome, which was no longer the imperial city. With this in view, Byzantium more proudly still claimed that title for herself, and among the Slavs she bears it still; for they call her Tzargrad, the city of the Tzars.

This title even became one of the popular reasons steadily drawing the imperial policy of Russia towards Constantinople; for the Muscovites, after the fall of that city in 1453, claimed to be the one orthodox empire, the lawful heirs of the Roman Caesars, and therefore aspired with full right, they said, to restore imperial unity.

It was their ambition to pass from Moscow, the Third Rome, to Tzargrad, the Second Rome. Later on, according to the Slavophils of the nineteenth century, their world-empire would include the First Rome, and from thence rule the universe; a false inversion of the religious and political orders, and yet withal a homage, real though scarcely conscious, to the memory of Rome's agelong supremacy.

Byzantine policy at first showed more or less respect for religion. "Ecclesiastical government," to use the words of St. John Chrysostom, "is as far above the civil as the heaven is above the earth, nay, much farther above it . . . as different from it as the soul from the body."[1]

[1] In *Ep. II ad Cor.*, Hom. xv. 4–5 (Migne, P.G. Vol. 61. col. 508–9).

This same truth was later on to be urged against Photius by St. Methodius, apostle of the Slavs, and a note to the first Slavonic version of the Nomo-canon asserts that no power, even imperial, can create an apostolic see or annul the mission and the rights of Rome.[1]

But earth aspires to scale heaven, the flesh lusteth against the spirit, the temporal power against the spiritual, policy and the Empire against the Church. Monophysite Emperors (between 484 and 519), Monothelite Emperors (between 638 and 681), or adulterous Emperors, such as Constantine VI (795 to 811), like their Arian predecessors, found the Apostolic See very annoying; for its condemnations in the end always triumphed over their imperial heresies. They wanted a Christianity more submissive to their caprices or their passions, a church of which they themselves might become the actual heads; in place of Peter's successor, they wanted an episcopate nominated by themselves and immediately dependent on them; they wanted councils they could rule after their pleasure. The supreme head of the hierarchy and bearer of the keys must be, in spiritual things as in temporal, the most gracious sovereign of the state, the Emperor, *Pontifex Maximus*, as in pagan times.

That great thinker, Vladimir Soloviev, the Russian Newman, has traced out for us this constant tendency of Byzantine imperialism in the preface to his work on *Russia and the Universal Church*. It was the part of the iconoclast emperors to ripen these designs, to prepare the way for their triumph. Between 726 and 843 most

[1] Unedited text, recovered by the orthodox scholar Paulov, and published, 1897, in the "Vizantisky Vremennik," Vol. IV, pp. 150–152. See d'Herbigny, *De Ecclesia*, Vol. II, paragr. 293.

of them were dreaming of this spiritual hegemony, and so set themselves to promote such prelates as might be the submissive instruments of their ambitions. This history, to be repeated in Protestant times, is the history of all princes who aim at creating a national Church which they may afterwards control at their pleasure. They all try to organize a hierarchy of servile prelates, who will render to Caesar what belongs to God.

At the death of the last iconoclast, Theophilus (829–842), his widow, St. Theodora, took up the regency for her three-year-old son and re-established the Catholic Faith, instituting, in agreement with her new patriarch, St. Methodius, the festival of Orthodoxy. But the courtiers and corrupt clergy took alarm at this restoration of faith, discipline and Catholic unity, and easily seduced the young Emperor, Michael III, who had begun, on reaching his seventeenth year, to deserve his surname of "the drunkard."

You know what followed. This sensual prince drove into exile the patriarch, St. Ignatius, who for the last ten years (846–856) had ruled as St. Methodius' successor. The layman Photius, a very learned man, but less keen for justice than for success, then became patriarch and virtual ruler of the State. He brought about the exile of the Emperor's holy mother, and revived among people and clergy the old jealousy of Rome, which was supporting the rights of St. Ignatius against the intruder. He railed against all claim to spiritual authority on the part of the Holy See, declaring it intolerable, above all since the imperial crown of the West had been set by St. Leo III (795–813) on the head of Charlemagne, "a barbarian Frank." Should not both empires be centred in Byzantium; and does not its two-

headed eagle—which Russia was to inherit—symbolize this just claim of the Greeks?

Thus the Popes and the Western Church were branded as political rebels, deprived by that very fact of all spiritual jurisdiction. They were contemptible Φράγκοι as opposed to Ῥωμαῖοι. Photius therefore dared to do what none of his predecessors had ventured on. He excommunicated the Latin world and pronounced the deposition of Pope St. Nicholas. He wished to pass himself off as the successor of St. Peter.

However, when the *fainéant* and vicious Emperor over whom he held sway was assassinated in his 28th year (September 23, 867), Photius was arrested and thrown into prison, and for ten years (867–877) Ignatius, restored by the new Emperor Basil I, once more filled the patriarchal throne. The eighth Ecumenical Council, assembled at Constantinople (869–870), condemned Photius and his sacrilegious deeds, and restored union under the authority of the Holy See. Photius himself, in 877, in order to be approved by the indulgent Pope, John VIII (872–882), after the death of Ignatius professed in express terms to acknowledge the Roman Primacy. He soon broke his word, but the union endured after his death at Constantinople till 1054, and in the other patriarchates longer still.

The germs of religious nationalism and the example set them by their learned countryman, Photius, had effectively stirred up the exclusiveness of the Byzantines against Rome, and the pretext for the definite rupture that followed was once more purely political. The Patriarch, Michael Caerularius, walking in the footsteps of Photius, but with none of his erudition and cleverness, imposed his panhellenic aspirations on the feeble

Emperors over whom he held absolute sway on, Constantine, Theodora, Michael VI, and at first on Isaac Comnenus. This prince in the end shook off his despotic adviser and had him thrown into the sea (1059), yet continued to praise his work as that of a great panhellenic patriot. The schism, originating in this policy, remained true to it, notwithstanding the succession of disasters which for some nine centuries it brought on the Greek world. Russia, which at first for half a century refused to receive the envoys of Byzantium, being isolated from Rome by distance, war, and before long by the Tartar invasions, unconsciously lost touch with it. Kiev however long remembered how the papal legates had taken refuge within its walls from the assassins sent after them by Michael Caerularius, and how they had dated from this "city of the Russians" their final protest against the impious patriarch.

At Byzantium, however, the one passionate desire prevailed, to withdraw the East from all Western influence. Any sort of contact with Catholics terrified its leading churchmen, above all after the Turkish conquest. As Greeks, they were sure of dominating all the other races of the East, although they might themselves be under the Turkish yoke or, throughout the vast realm of Russia, under that of the Tartars. The elements of learning they everywhere reserved for Greeks alone. The peoples therefore remained united under the spiritual authority of Constantinople, inasmuch as their complete ignorance of the world without convinced them that the hellenism of their pastors was an essential condition of salvation. Horror of foreigners was therefore accounted a virtue. Foreign inventions were set down to the Devil. The first attempt at printing in Moscow took place in 1564.

It provoked a rising, and the only two books printed, the Psalter and extracts from St. Paul for use in the Liturgy, together with the whole plant, were given to the flames, the directors themselves only escaping the same fate by fleeing from Russia. It was not till the 17th century that printing began again in Moscow. Even the triumph secured by all the terrible energy of the princes resulted only in embittering this religious opposition; an example is the Raskol group, Christians of deepest conviction, Old Believers, more thoroughgoing than any in their hearty distrust of the West.

The Tzars of Moscow soon discovered the political advantage to be derived from the Byzantine principle that ecclesiastical administration should follow the territorial divisions of the civil order. When Greek independence went down before the Turks, the Muscovite princes drew the natural conclusion that ecclesiastical administration, being a heritage from the Empire, should now migrate to that refuge of orthodox Christianity, Moscow.

The great princes, or Muscovite Kniaz, becoming thereupon Caesars or Tzars, claimed and obtained a patriarchate. Their Third Rome took as its standard the Roman eagles, an eagle, that is, with two heads, as an assertion of the rights of Russia over the two Roman Empires, East and West, over the First Rome as well as the Second. Russian policy, above all in the 19th century, was inspired with its "divine mission" as the successor of Constantinople, where it hoped to set up the Russian throne. Thence it was to control the world, preparing thus for the Christian unification of the universe under the Russian sceptre, in an orthodoxy which should be Roman indeed, but only insomuch as

it was first Muscovite and Byzantine. Such was the dream, such the ideal which, from 1850 especially, inspired first the Slavophil party and then most the influential of Russia's politicians.

This mental obsession must be always before us if we would understand the religious attitude of the East in general and of the Russians in particular. Religion is for them one and the same thing as patriotism. "To be Russian is to be orthodox," wrote the exiled Archbishop Anastasius, in a mandate he addressed from Constantinople to other Russian *émigrés*, March 25, 1922. To be Russian is to be orthodox. Consequently Russians who became Catholics were branded as traitors to their country, even though they had fought like heroes in the imperial cause.

This same formula is heard in Greece, Serbia, Bulgaria and Roumania; to be Greek, Serb, Bulgar or Roumanian is to be orthodox.

But you may ask, what is meant by being orthodox? Doubtless many good souls among the mass of the faithful would answer with a loud *Credo!* yet the majority of the real directing spirits, politicians and clergy alike, would say, in terms more or less clear:— "To be orthodox is to be Russian; it is to be Greek, Ῥωμαῖος, Hellene; or again, to be Serb, Bulgar, Roumanian, according as the question is put in Moscow, Constantinople, Athens, Belgrade, Sofia or Bukarest." Religion is identified with a nationalism to a degree well-nigh absolute. Dogma is quite a secondary consideration, nearly or wholly a matter of indifference. In Russia alone it is still discussed; among the lower classes it is in a childlike fashion, yet reverent withal. Elsewhere it is utterly neglected even by the clergy and

the hierarchy. Were the Faith one and the same in two distinct ethnical groups, these orthodox folk, on the first appearance of a national rivalry, would none the less proceed at once to excommunicate each other. Such indeed has been the case with Bulgaria, riddled with anathemas for fifty years past by the Phanar of Constantinople, because, following in the wake of Russians, Hellenes, Serbs and Roumanians, she has proclaimed her religious autonomy, or, as the Easterns say, her autocephalous rights.

In the course of the 19th century each new state, as it won its freedom from the Turks, laid claim to its ecclesiastical independence. The Patriarchate of Constantinople withstood this weakening process with all its might; but at each defeat of the Turks it lost some hundreds of thousands of subjects over whom, under the Turkish suzerainty, it was supreme both in spiritual and temporal matters, the Patriarch of the Phanar being "Head of the nation" for all the orthodox reputed Greeks or Ῥωμαῖοι.

The Church of the Hellenic Kingdom had renounced its dependence on Byzantium on August 4, 1833. Having long anathematized her rebellious daughter, Constantinople had finished by consenting to the schism, June 29, 1850, that is, after a struggle of seventeen years. The Serbian Church, cut off from Constantinople in 1836, did not escape from anathema till 1879, after 43 years, when she resolved to imitate Austria and Hungary, which, to free their subjects once and for ever from all dependence on Byzantium, had freely bribed the Phanar. Roumania, too, asserted her freedom in 1865, but paid up promptly, and was before long delivered from anathema. Bulgaria, on the other hand, specially

hateful to the Greeks and more enterprising, has made the same claim up to our own days, beginning from 1872, and even from 1861, and has been subjected throughout those sixty-two years to excommunication after excommunication.

These conflicts do not arise over any dogmatic question, but simply from racial jealousy. All states which have broken away from Catholic unity appear to be doomed to rebuild those nationalistic barriers which the law of Christ had swept away. Diversities of party and race, lawful enough in the economic and political order, cannot serve as a basis of religious opposition in the domain of the spirit. By the law of Christ, made for all mankind, there are not many Churches, those of Jew and Gentile, of Greek and Barbarian; but, as there is only one God, only one Christ, only one Holy Spirit, so there is but one Church, one Faith, one Baptism.

(3) The Gravity of the Evil.

One Church, one Faith—this is what the separated East, it appears, can no longer understand. It prides itself on a nationalism which differentiates and opposes the hierarchies of the Church as though but military staffs. It proposes confederations of churches on the model of the League of Nations, practical intercommunion in defiance of dogmatic differences. It pursues a policy of alliances and *ententes*. But in all this, where is that unity preached by St. Paul and prayed for by Our Lord? Where is that unity of the visible Body mystically animated by the Spirit of Christ? Where is that one Kingdom not divided against itself, that one Church, built, not on shifting sand, but on the lasting and immovable Rock? Where is the one flock, the one fold,

the one vine? Alas, we see the branches which, springing of old from the tree, were once fruitful; but they are dried up, barren, dying or dead, for they no longer draw sap from the vine. The Eastern Churches are little more than human associations, preserving their titles and the divine books, but losing more and more the life-giving Spirit in proportion as they withdraw from the one centre from which is transmitted the divine mission to confirm the brethren.

Whereas among the populations torn away from the Church by the convulsions of the 16th century good souls in ever-increasing numbers are touched by grace, they begin to think, mark the evil forces at work around them, and set themselves to stem the current, in the hope of reaching the firm rock whereon Christ has built His Church; this unhappy Oriental orthodoxy, having brought itself into line with political institutions, shares all their vicissitudes, and is in danger of going to dust with them.

Nor is it merely an exterior menace that threatens its Christian traditions. The earthquake which has overthrown the façade of the building has revealed the interior havoc wrought by irreligion and indifferentism, and this even among those hitherto regarded as the most orthodox. God forbid we should regard with complacency the misfortunes of our fellow-Christians! Every Catholic heart must pity their sufferings, rejoice in the Christian heroism of the braver among them, and pray God to reward them with a larger outpouring of the Spirit of light and faith. And every Christian heart admires, and is eager to abet to its utmost, the constant and princely generosity of the holy Pontiffs, Benedict XV and Pius XI, in their efforts to relieve with the alms of the

whole Catholic world the calamities of hunger, sickness, nakedness and war which press so hard on these unhappy peoples, and at the same time to check by discreet but untiring endeavours the cruelty of their tyrannical persecutors. For the defeated Greeks, for the exiled Armenians, for the Patriarch Tykhon of Moscow and the Russian clergy who have remained faithful to him, the Holy See has already done much, and continues to help them to the utmost. It knows well that it is preceded, surrounded and followed by its Catholic children of the whole universe. I may make special mention of their Eminences Cardinals Bourne and Mercier, the latter solemnly proclaimed by the Russian *émigrés* in their university Congress at Prague, September, 1922, as their great protector and benefactor.

But this love of Catholics for their separated brethren does not blind them—nay, does not love make one more clear-sighted to see the perils that threaten those we love? As the Good Shepherd grieves over His lost sheep, and the Father of the prodigal over his departed son, so does the Head of Christendom grieve over the dangers that threaten to engulf the East. Loss of faith is a danger that takes many forms, brutal and direct in Bolshevism, more insidious and more widespread through the adoption of Protestant ideals, and filtering down to the people from the summit of the hierarchy, and even from the bishops. In several autocephalous units they have been won over; and this process bids fair to destroy the last remnants of the orthodox faith among the Greeks, the Serbs and the Armenians, as well as amongst the Russians; for it goes far beyond the worst radicalism of Western Protestantism. The Slav does not stop at half-measures. If once he begins to deny, he does not

draw rein till he has plunged into utter nihilism. Opportunism he does not understand. He rushes at once to the limit, to the maximum, to Maximalism, which is but another name for Bolshevism.

The influence of Protestantism in the East is not a thing of yesterday; yet it is only of late that it has openly triumphed. In the past, as Dr. Fortescue has so well explained, the Patriarch Cyril Lukaris for a season enthroned Protestantism in the See of Constantinople; but he was driven out, and his ephemeral success ended in a solemn condemnation of his doctrines. On behalf of its own tradition and of its orthodoxy, which still comprised nearly the whole Catholic Faith, the East reproduced the greater part of the anathemas passed by the Council of Trent, and these Acts of the Council of Jerusalem (1672) against Lutheranism and Calvinism stand out as an impressive document for those Protestants who would honestly appeal to the doctrines of the first seven General Councils; for here we see the East, separated from the West for so many centuries, proclaiming in unison with it, and without having entered into any previous understanding, the same Faith, the seven Sacraments, Transubstantiation, the Worship and Intercession of the Saints and especially of the Blessed Virgin, the importance and efficacy of prayer for the dead, the supreme value of Holy Mass, and the essential degrees, as of right divine, of the ecclesiastical hierarchy. These definitions, so similar in form, drawn up without *pourparlers* of any kind, and all the old oriental distrust notwithstanding, are a manifestation, from a merely critical point of view, of the ancient Faith, anterior to the rupture of 1054. It is not scholasticism, as the supreme ignorance of certain writers

would have it, that has forged or tampered with these dogmatic utterances. They represent the faith of the undivided Church.

The secret enemies of Christendom, however, beaten in the open field, yet determined, as they cannot destroy it at one stroke, to break it up little by little, have set to work, along with their more or less conscious accomplices, to sap the orthodox faith of the East. Till recently, it was in fostering antipathy against Rome that the Protestant movement has been most successful. For this reason Peter the Great favoured it in Russia; on his return from Holland, where he had seen, as exemplified in the families of Orange-Nassau, what support a sovereign received from Erastian principles, he abolished the Russian Patriarchate, substituting in its place a consistory which he called the Holy Synod, at the same time taking care to make himself practically the head of it. Without becoming the Pope of the Russian Church, as has often been untruly asserted, the Tzar held all power over it and used this power freely. He appointed bishops at his pleasure, deprived, cashiered them, shut them up in monasteries; yet not one among them for two centuries dared to utter a protest. Whether the sovereign was Nicholas or Alexander, Catherine or Anne, Paul or Peter, it was certain that the Church would obey him—nay, that it would obey his favourites, whether men or women, a Potemkin, a Madame Krudener, or the Siberian moujik Rasputin. This man was not content with disturbing the mind of the Empress, dictating to the Holy Synod, regulating the promotion and deposition of bishops, just as he interfered in military affairs; it was he also who had decreed the canonizations which the Emperor Nicholas II multiplied

towards the end of his reign. The Holy Synod or the people were greatly astonished at some of these cults; but Rasputin insisted on them. In fact, he monopolized the power which Russian law attributed to the Procurator-General of the Holy Synod, who, according to the very terms of Peter the Great's decree, was to be "chosen from the officers, a man of means, with plenty of self-assurance, who would know how to regulate the affairs of the Synod."[1]

This assumption of ecclesiastical authority by the Court gave rise among the courtiers, and still more among the intellectual classes of Russia, to a very general contempt for the clergy, and also in many cases to an antipathy against the Faith, the renunciation whereof constituted the crime of high treason, vigorously punished by the law up to 1905, and even later.

But the gravest evil in Russia came from the condition of the clergy themselves. Recruited as they were almost exclusively and under pressure from among the sons of priests, who up to the last quarter of the 19th century had neither the right nor the opportunity to choose any other career, the "white" or parochial clergy comprised numbers of men who were exasperated at finding themselves forced to take Holy Orders, which to them and to the public at large constituted a contemptible profession, ill-famed, and supplying an income wholly insufficient to save the priest and his family from beggary. From youth upwards they held in detestation a "calling" from which they could not escape, but which they thought would dishonour them for ever. Thus among the students' strikes and revolts, the most terrible were those

[1] Polnoié Sobranié Zakonov, n. 4001, 11 May, 1722, t. VI, p. 676a.

of the theological faculty. The year 1885 and those that followed saw numerous assaults and murders committed within the seminaries by terrorist theologians against their professors, rectors and inspectors. The murder of the Orthodox Archbishop of Warsaw, George Iarochevsky, by a former seminary rector, the archimandrite Smaragdus Latichenko, shocked the Western world in February, 1923. Such things were by no means unheard of in Russia; but they were suppressed by the censor. Let us not exaggerate. Not all Russian priests held such ideas. Both priests and prelates in considerable numbers displayed admirable courage in defending the Faith against its enemies. But what can we expect of the clergy, as a whole, when the enormous majority of them are without vocation, without faith and without zeal? And what can we expect of a people shepherded by such a clergy?

I am sure you understand that it gives me no pleasure to lay bare these wounds. I would far sooner think and speak of the good which is still found among the Russian people and their priests. Many Slavophils saw only this surviving good and nothing else, blinding themselves completely to the enormity of the evil, which, like the lava from a volcano, was bound to burst forth and destroy everything. Consequently such people have not the faintest conception of the scourges which are devastating Russia. They fancy they have explained everything when they have cast the blame on a handful of Jews, or on the atheism of the "red" clergy. What is the cause of this atheism? Alas, Tolstoi was not alone in suspecting the unbelief of a multitude of the official representatives of orthodoxy. Dostoievsky, whom the Metropolitan Antonin, leader of the monarchist

party among the *émigrés*, honours as "the prophet of Orthodox Russia," has few characters in his gallery, rich as it is in portraits of criminals and maniacs, more repulsive than his church-students. The censors were wide awake. Still, he depicts the theologian Rakitin, in *The Brothers Karamzof*, not only as an able and intelligent man, dissatisfied, but drowning his grievances in gambling, drinking, frequenting places of entertainment and there picking pockets; but as an impious and malignant sceptic, who takes delight in throwing a novice-monk into the arms of a courtesan, with a view to rob him at one and the same time of all virtue and all belief in God.

This novice-monk, who is open to every woman's solicitations, is nevertheless held up as a model of purity. The genius of Dostoievsky and of other Russian writers accommodates itself readily to these contradictions, which are as abundant in practice as in theory. His ideal is to conceive the combination of the deepest depths of doubt and faith (p. 215), to realize that the Devil alone speaks truth (p. 217), and will be saved (p. 218); to be a thaumaturgus while doubting the existence of God, while conscious all the time of his own trickeries.

In a series of brilliant articles by a well-informed writer lately published in the *Times*, under the general title of "Russia To-day," you may have noticed, in his seventh letter (June 9, 1923), the author's description of the Russian Church as "possessed by the Red Demon." "I know," he adds, "that many Russian Christians in London and Paris make light of the danger, just as in November, 1917, they made light of Bolshevism, and gave it at most three weeks; but we must remember that the average Russian peasant is very ignorant, and may

very easily be deceived by the wolf that has come to him in sheep's clothing. It is certain, unfortunately, that the Red Church has gained over many Orthodox Christians, and it is greatly to be feared that millions will fall gradually under its influence. There is no reason, indeed, why it should not become the national Church in Russia."

It is clear that the principle whereon national Churches are founded is prone to end in restorations of this kind. Their foundation being neither the eternal truth nor the eternal justice proclaimed and sanctioned by Christ, but the national and ultimately the political ideal, they follow pitifully the fluctuations of human affairs and worship success. Antonin may well become a Russian saint, as Photius is a saint for the Greeks.

Vvedensky, the founder of the "Living Church," claims to be actuated by the same motives as those of separatist "reformers" of other days, namely, indignation against corruptions in the Church, and an affected zeal to see it purified by the civil power. In a report read by him on May 3, 1923, before the "All-Russian Council of Moscow," he passed judgment on "the crisis through which, not the Orthodox Church alone, but the whole of Christianity is passing. The cause of this crisis," he says, "is as follows: All Christendom has forgotten its proper value. It was meant to aid the disinherited classes, and it has formed an alliance with capital. As if it were God, the Church has now installed Rockfeller in the place of Christ. The Church which teaches charity, fraternity and equality has failed to introduce them into the lives of men; on the contrary, it has striven with fiery hatred to subject the poor man and the labourer to the wealthy classes. New powers came

into being. Without fine words and phrases they set themselves to establish charity as a fact, and to bring equality and fraternity into daily life. But the Orthodox Church, instead of welcoming them, has, in the person of the Patriarch Tykhon, hurled anathemas at them, and in its first All-Russian Council declared them inspired by Satan."

Vvedensky, shocked at the protests of Tykhon, is edified on the other hand by the toleration of the Soviets, and discovers that their official anti-religious propaganda is but a form of religious liberty, with no semblance of religious persecution.[1]

The descendants of the older religious revolutionaries, *i.e.*, those who are in love with "inter-communion without dogmatic unity," and those who would organize "federations of national churches," see a grave danger to their system in this Bolshevization of the Russian Church. The *Times*, for example, in the article quoted above, speaks thus: "The consequences of such a change in the religious orientation of a great people, who cover one-sixth of the earth, and are increasing far more rapidly than any other white race, may be stupendous and incalculable. If, for example, there is any great pan-Christian congress held in the future" (a project whose authors are known), "the delegates of the second greatest Church in Christendom will all be Bolshevists, and . . . we may have to accept them as spokesmen of the Orthodox Church."

Should not reflection upon this example help us to understand how and why the Catholic Church has had on

[1] The "Izvestia" of Saturday, May 5, 1923 (No. 98/1835) p. 3; the article is of more than four large half-columns, and is signed *Yow. P.*

sundry occasions to excommunicate the whole of a prevaricating hierarchy, which was making use of its power over all the Christians of a nation to form them little by little, not into a section of the Church universal, but into a national Church?

The Church Catholic, while grieved at this new development in the Russian Church, is hardly surprised at it. But her prayer is that men of goodwill may see from the events of our own day what was the real history of the past, so shamefully falsified for them. She prays, and in obedience to her world-wide mission she teaches also. One of the chief means adopted by the Holy See to meet present conditions is the creation, under papal protection, of the Oriental Institute at Rome. It is not intended directly to train missionaries for the East, but rather to attract scholars and enable them to see for themselves and so to make clear to the schismatical East, and through it to the whole world, the truth both historical and theological, the truth divine of a Church one, holy, Catholic and Apostolic. This Institute invites students from all nations, that through them truth and charity may illumine the whole world.

The enormity of the evil in the East should suggest to all of us a more earnest co-operation in the salving of the East, and that all the more because a notable return of Eastern Christians to unity would have an incalculable effect on a number of pious Anglicans.

The picture I have been compelled to draw is a sad one. But let us at least find comfort in the goodwill and deep faith which still remains to many souls, more especially in Russia. Let us place our trust in the infinite mercy of the Heart of Jesus, recalling those promises He made to the One Church founded on Peter,

and let us remember that it is our part to work for the fulfilment of God's high purpose, "that all may be one."

If I may be allowed a personal avowal, I should like to say that, after twenty years' observation, it is my conviction that Providence is bringing about the gradual return of all who remain really and positively Christian, whether Anglicans or Orthodox. England and the East react one upon the other; for while English influence tends to break down Oriental prejudice against the West, the East tends to check and to extinguish the Protestant heresies of England. Thus, without knowing it, acting and reacting on each other, both England and the East are being drawn on towards the fold of Christ's Vicar.

God is using England to save the Faith of the East, as He is using the East to save the Faith in England. By prayer and labour let us seek to hasten the day when both shall return to the Church of their fathers.

V.

THE EARLY MEDIÆVAL PAPACY.

By the Rt. Rev. Mgr. H. K. Mann, D.D.

Before attempting to say anything about the Early Mediæval Papacy, it is obviously necessary that one should state what precise period one includes in the term "mediæval," and what proportion of that period may be regarded as "early."

Where there is question of historians marking out purely artificial divisions of time, unanimity of definition can scarcely be hoped for. Each writer is naturally prone to look at the facts of history as they refer to the particular branch of it which he is studying. One historian, thinking especially of the story of the City of Rome, is disposed to make the Middle Ages begin with the year 330, when Constantine the Great definitely transferred the seat of the Roman Empire to Constantinople, or "New Rome," as it was afterwards called. Another fixes their beginning at the year 410, when "Old Rome" was sacked by Alaric and his Goths. Another again assigns their commencement to the year 476, when the barbarian King Odoacer put an end to the Roman Empire in the West by deposing the Emperor Romulus Augustulus, and sending the imperial insignia to Zeno, the Basileus by the Bosphorus. For each of these dates, as the opening year of the Middle Ages, much may be said. But in view of the fact that the

Papacy was the pivot of the Middle Ages,[1] we may be permitted to pass them over, as well as other possible dates, and to select the pontificate of Gregory the Great (590–604) as the beginning of the Middle Ages.

Many reasons move us to make this selection. Gregory was born about the year 540; and though, before that date, Italy had been more than once overrun by barbarians, and Rome sacked by them, the life of Italy and of Rome had not been profoundly affected. Indeed, during the reign of Theodoric the Goth (493–526) both Italy and Rome had largely recovered from the injuries which they had sustained. Rome, in Gregory's boyhood, had still its senate; the life of its forums still went on. His contemporary, the poet Venantius Fortunatus, sings of Virgil as still recited in the forum of Trajan, "Aut Maro Trajano lectus in urbe foro."[2] In Gregory's early youth the Popes were in temporals still more or less simple subjects. But also in his youth and early manhood drastic changes were effected. Italy and Rome were frightfully devastated, first by the wars waged between the generals of Justinian, the ruler of the Eastern Roman Empire, and the Goths, and then by the appalling invasion of the Lombards, which began in 568. "What we endure from the Lombards," wrote Pope Pelagius II (584), "no tongue can tell;"[3] and Gregory himself, writing some ten years later when he was Pope, speaks to the same effect: "The barbarous and cruel nation of the

[1] By the event of 476, even Dr. Hodgkin (*Italy and her Invaders*, Vol. II, p. 544) sees that "the political centre of gravity" of Europe, "was changed from the Palatine to the Lateran, and the Bishop of Rome . . . was irresistibly invited to ascend the throne, and to wrap himself in the purple of the vanished Augustus."

[2] *Carm.* VII. 8.

[3] *Ep. ap. Mon. Germ. Epp.*, Vol. II, p. 440.

Lombards," he says, "like a sword flashing forth from its sheath, left their own country and invaded ours. As a result the people who before, from their numbers, were as thick corn-fields, remain now withered and overthrown. Cities are wasted, towns and villages spoiled, churches burnt, monasteries of men and women destroyed, and farms left desolate. The country is solitary, and void of men to till the ground. . . . Beasts now possess the places where once great numbers of men did dwell."[1] It was the wish of the Barbarians to destroy Rome utterly. Alaric averred that a voice within him was constantly saying, "Proceed to Rome, and destroy that City."[2] Even Totila, one of the few enlightened chiefs of the barbarians, burnt part of Rome. He, indeed, regretted what he had done,[3] but what even he had once resolved to do, namely, to turn Rome into pasture-fields for cattle,[4] was the general aim of the barbarians.[5] One of the first of the Lombard kings of Italy (Cleph) had striven to annihilate the aristocracy of the Eternal City, and it was Totila who destroyed its population and dispersed the remnant of its Senate,[6] so that in the bitterness of his heart Pope Gregory could ask: "Where is the Senate, where the people?" and could bewail the

[1] Dial. III. 38. The Dialogues are full of allusions to the cruelties and ravage of the Lombards. The same has to be said of his letters. Cf. Paul the Deacon, *Hist. Langob.* I. 1.

[2] Socrates, *Hist. Eccles.* VII. 10; Sozomen IX. 6; Claudian B. Get. 555 ff.:

> . . . sed clara palam vox edita luco est:
> "Rumpe omnes, Alarice, moras: hoc, impiger, anno
> Alpibus Italiae ruptis penetrabis ad Urbem."

[3] Procop, *De bello got.* IV. 22, 23; Marcellinus Comes, *Chron.* ad an. 547.

[4] *Ibid.*, III. 22.

[5] Cf. Victor of Vita, *Hist. persec. vandal.* III. 62.

[6] Procop. *De Bello got.*, III. 22–4.

ruins he saw all around him.[1] Under the hammering blows of the Lombard, not only was civil order broken to pieces, but ecclesiastical also. Out of one hundred and eight bishoprics possessed by Italy, ninety were destroyed during the Lombard invasion, and in all the parts of Italy which the Lombards occupied, they confiscated all the property of the Roman Church.[2]

Italy, then, once the heart and centre of the Roman Empire, was more completely sundered from its past during Gregory's life than at any other period since the establishment of that Empire. Despite the conquests of Justinian's generals in Italy, and the introduction into it of a certain amount of Byzantine influence, both Italy and the West of Europe may be said to have finally drifted apart from the Eastern Roman Empire in Gregory's time. The Roman Church, which had once been so Greek that one of its bishops after another had been Greek, and that its early documents had been written in Greek, ceased in Gregory's time even to know Greek. He himself, though he had been an apocrisiarius or nuncio in Constantinople, had no real knowledge of Greek,[3] and he frequently complains that in "New Rome" there was a great dearth of good interpreters.[4] How Greek the Roman Empire was becoming in Gregory's time may be gauged from the fact that, whereas the code and the other great legal productions of the reign of Justinian, an elder contemporary of Gregory,

[1] The concluding portion of Homil. 18 super Ezechielem Cf. Agnellus, *Lib. Pont. Rav.* p. 338, ed. *Mon. Germ*; Jornandes, *De regnor. success.* ap. *R.I. SS.* I. p. 241.

[2] Duchesne, *Les évêches d'Italie et l'invasion Lombarde*, Rome, 1906.

[3] *Epp. Greg. VII.* 29 (aliter 32); XI. 55 (70).

[4] *Ibid.*, I. 28, VII. 27; X. 14 & 21.

were all written in Latin, the later legislative acts of the emperor, his *Novellæ*, were written in Greek. Paul the deacon describes Gregory's contemporary, the Emperor Maurice, as the first Emperor "of the race of the Greeks."[1] After the final separation of the Empire into Eastern and Western, an unhealthy rivalry soon sprang up between Old and New Rome both in the civil and in the religious order. Even at the beginning of the fifth century, the pagan poet, Claudian, showers his contempt on the "Greek Quirites" who "scorn Rome," and have no eyes but for the City by the Bosphorus[2]; and in Gregory's days the Western bishops despised those of the East for their subservience to the Emperor's nod.[3] Still further severing the link between the two "Romes," Justinian in 541 abolished the Consulship, after a nominal existence, at least, of a thousand years,[4] and another of Gregory's great contemporaries, John the Faster, brought nearer the religious division between East and West by his assumption of the title "Ecumenical Patriarch." In the time, then, of the great Apostle of our nation, it became clearly realized that "East is East and West is West," that Greek is Greek, and Latin is Latin, that the empire had definitely been driven to the East, and that in the West barbarism was triumphant once again. The old order, in every sense of that word, had passed away; the old classical learning, despite Justinian's attempt to revive it in Italy,[5] had all but

[1] *Hist. Lang.*, III. 15. [2] *In Eutrop.*, II. 339.

[3] Ep. of the year 552 ap. *M. G. Epp.*, III, p. 439.

[4] Only a few years after Gregory's death, the Emperor styled himself no longer *Imperator*, but *Basileus*. This change took place under Heraclius (610–41).

[5] See his *Pragmatic Sanction*, n. 22.

perished in every province of the West. The Middle Ages had set in.

For our present purpose it is obviously not of particular importance to determine exactly the epoch of the close of the Middle Ages. It may, however, be asserted that no historian would prolong them beyond the religious cataclysm of the sixteenth century, which broke up Europe's unity of faith, and substituted for it the Erastian doctrine of *cujus regio ejus religio*. But it is clearly of more moment that we should define more accurately the period included in the phrase "Early Middle Ages." By that phrase, then, we would describe the four and a half centuries which elapsed from the pontificate of Gregory the Great (590–604) to that of St. Leo IX, which began in the year 1049 and ended in 1055. Those were the ages during which, with the usual pain or disturbance which marks the making or coming into being of anything new, were evolving the nations of modern Europe. Very terrible at times were the years of this formative period; for during it took place the last of the barbarian invasions, which seriously affected the life of the West. The Norse pirates had harried every European coast, and had finally settled down in far-off Iceland, in the "two Sicilies," in Great Britain, in Ireland, and in Normandy. The Moslem Saracens had raided all southern Europe, and had been driven from every part of it except Spain; and even in Spain there had began that long struggle which was to end in "the last sigh of the Moor," as he gazed for the last time on the fair land which had once been his. In the East of Europe the wild Hungarian horseman, after penetrating into France, and appearing even before the walls of Rome, had been forced back

into the land in which he now dwells, and had entered the way of civilization which the faith he had embraced pointed out to him. Even the Papacy had in the tenth century passed through a time of ghastly suffering at the hands of the rude Roman barons. But its dark night had passed before the end of our period; and even before the pontificate of Leo IX its heroic days of the full Middle Ages had dawned.

Whilst the Roman Empire in the West still held its ground, the mission of the popes had been to preserve intact the deposit of the faith, to prevent its being snatched away in its entirety by the heathen, and to prevent it from being defiled by the heretic, by the Arian, by the Nestorian and by the Eutychian. In the maturity and in the decay of the "Middle Ages" the Popes had to play the part of suzerain of the Commonwealth of Christendom, and to keep the Church independent of the political organization of the Holy Roman Empire. By fostering the Crusades they had to stem the flood of Mohammedanism, and they had to fight even to preserve the unity of their line. Then, after the great religious revolt of the sixteenth century, the Papacy had to react against the false teachings of those who had rebelled against its authority, and against the fearsome consequence of those teachings, the infidelity of the school of Voltaire, and the pernicious maxims of the French Revolution. In our own days, since the loss of their temporal power in 1870, the Popes, while striving to maintain their independence, have been engaged in contending for the true "rights of man," for the rights of Labour as well as for the rights of Capital, in urging the necessity of Christian principles in the relations between the classes, and in maintaining

the indissolubility of the marriage bond and those rights of authority and private property which can alone prevent the human race from falling back into savagery.

But what was the special task of the Papacy during the early Middle Ages? It was to gather up the fragments of the vase of Roman civilization which had been broken in pieces by the axe of the barbarian, and to fit them together again. It was to cause the heathen or Arian Sicambrian to burn what he had once honoured, and to honour what once he had burnt. It was to foster the growth of the young nations which were to form Christendom. It was, in fine, to establish their own position and independence against the ambition of the patriarchs of Constantinople in the ecclesiastical order, and against the "unspeakable" Lombard[1] and the Exarch of Ravenna in the political order.

Let us begin with the last of these their tasks, and see how, to preserve their position in the Church, the Popes of the Early Middle Ages had even to cut off the Greek Church from the unity of Christ's kingdom on earth, and then see how, to preserve their civil independence, they had to accept the temporal authority which the force of circumstances, the co-operation of the people of Rome, and, finally, the goodwill of the Franks, put into their hands.

When, in 590, Gregory became Pope, the Church of Christ was still one in East and West. Greek, Latin, and Oriental professed the same faith; and, through their patriarchs, acknowledged one head, the Pope of

[1] The Lombard was described as "unspeakable" by Pope and Exarch alike. In the letters of Gregory I he is always so described, and he is so spoken of by the Exarch Smaragdus. See his letter to the King of the Franks ap. *M.G. Epp.*, III, p. 146.

Rome. Antioch, Alexandria, Jerusalem, Constantinople all bowed to Rome. Gregory, on the one hand, clearly asserted his jurisdiction over these four patriarchs,[1] and on the other his authority was recognized by them.[2]

Before Constantine gave legal freedom to the Church, the Bishop of Rome was without a rival in his position as head of the Church; but after that emperor had transferred the seat of empire to Byzantium, the importance of the bishop of the new capital naturally increased. Originally, Byzantium was simply a suffragan see of Heraclea in Thrace. With this situation the bishops of "New Rome" were not content, and their ambition was encouraged by the emperors, who were pleased to see ecclesiastical power concentrated in the hands of one whom they had under their control. In the second Ecumenical Council, held at Constantinople (381), the Bishop of Constantinople contrived to get himself set above the patriarchs of Antioch and Alexandria, and to be counted second only to Rome.[3] The reason for this usurpation was stated to be the fact that Constantinople was "the new Rome." Then at the Council of Chalcedon he extended his actual jurisdiction over the Thracian, Pontic and Asian dioceses (457).[4] In the days of Gregory the Great, the Patriarch of Constantinople took another step forward, and assumed definitely the title of

[1] *Epp.* II. 50 (52); I. 75 (77); II. 46 (48); III. 30; V. 37, 39, 41, 44 (18); VII. 37; IX. 26 (12), 27 (59), 156 (68), 202 (8); XIII. 40 (37), 50 (45).

[2] *Epp. Greg.* VII. 37 (40); III. 66 (57). Hence even J. M. Neale (*A History of the Holy Eastern Church*, Vol. I, p. 15), confesses that the other patriarchs acknowledged "in the case of Rome an undefined and undefinable something more—a privilege of interference that might not have been brooked from another patriarchal see." Cf. Ranke, *Hist. of Popes*, I. pp. 7–8.

[3] Canon 3. [4] Canon 28. Cf. Neale, *ibid.*, pp. 26–28.

Ecumenical, or Universal Patriarch. Taken to task by Gregory, the supporters of the Patriarch declared that the title simply meant that he had jurisdiction over a part of the habitable globe.[1] But, despite remonstrance, the Byzantine patriarchs held to the title, and to their ambitions. They were not, however, altogether happy in the possession of a title which was not sanctioned by Rome; and only some thirty years before the final schism between the East and West, in 1053, they are said to have tried in vain to buy recognition of it from Pope John XIX[2]. However, for over two hundred and fifty years after the death of Gregory, East and West remained in more or less stable union. Then came Photius, the Cranmer of the Greek Church. Because the Patriarch Ignatius would not tolerate the incestuous union of the Caesar Bardas with his daughter-in-law, he was exiled. Photius, a layman, the Caesar's tool, was made Patriarch in six days. The usurper, failing to obtain the recognition of Rome, brought about a fresh schism between the East and West; and while catching the "ears of the groundlings" by unduly emphasizing trifling differences of ecclesiastical customs in the two churches, he gave a dogmatic basis to the schism by declaring that the Latins, by teaching that the Holy Ghost proceeded from the Father and from the Son, had introduced two principles or causes into the Holy Trinity. However, after the death of Photius (*c.* 891), the East and West were again ecclesiastically united.[3] But in the middle of the eleventh century, his errors were revived by the

[1] Cf. Anastasius ap. Migne, *Pat. Lat.* T. 129, p. 197.

[2] Cf. Raoul Glaber, *Hist.* IV. 1. n. 2; and Hugh of Flavigny, *Chron.* II. 17.

[3] Cf. Schlumberger, *L'Épopée Byzantine*, I, p. 256.

Patriarch Michael Caerularius. Greedy both of temporal and spiritual power, he disdained all submission, and was excommunicated on July 16, 1054. By this act the Popes had cut off from the "Vine," which is Christ, a branch which seemed well-nigh as large and vigorous as the parent trunk. But the sap of Catholic life ceased to run in it, and it soon began to split in pieces. As Constantinople had refused to submit to Rome, first one and then another of the great ecclesiastics in the East refused obedience to it; and powerful as the Patriarch of Constantinople once was, it may be said that now there is "none so poor to do him reverence." The Mediæval Papacy made it clear that the Church has only one head.

If, then, the Popes of the Early Middle Ages had to struggle for their ecclesiastical supremacy against *New Rome, magnae quæ dicitur aemula Romae,*[1] in *Old Rome* they had to strive to maintain their civil freedom against the Lombard. In this, too, they succeeded. They secured temporal independence and sovereignty.

When Constantine gave peace to the Church, he at once began to give wealth, privileges and temporal authority to its bishops, and especially to the "Bishop of Rome."[2] Litigants, for instance, were permitted to lay their cases before the bishops instead of before the secular courts; and the Emperor decreed that their sentences should be as binding as if pronounced by himself, and that the officers of the state should put them into execution. "For the priests of God," he said,

[1] So says Claudian, *In Rufinum*, lib. II.

[2] Cf. Eusebius, H.E., X. 2, 6–7; *Vit. Const.*, I. 41, 43; *Lib. Pont.*, I. pp. 170 ff., ed. Duchesne.

"were to be preferred to any judges whatsoever."[1] The secular authority granted by Constantine to Christian bishops was increased by his successors.[2] Bishops were exempted from the jurisdiction of secular courts[3]; and on the other hand the civil authorities were commanded to compel bishops, if necessary, to obey a citation to the court of the Bishop of Rome.[4] Hence, writing about the middle of the fifth century, the Byzantine historian, Socrates, declaims against "the secular domination" of the Bishop of Rome.[5] Yet subsequent imperial legislation only confirmed or increased that "domination." Marcian, in 451, besides confirming all the privileges granted to the Church, repealed all enactments which were opposed to the ecclesiastical canons.[6] Finally, after the recapture of Italy from the Goths, Justinian made the bishops of Italy almost the overseers of the state officials in that country (554). The bishops, along with the chief men of the district, were to choose the provincial governors from the inhabitants of the province; and they had also to fix the allocation of the tribute in kind. The Pope and the Senate were to have charge of the standard weights and measures.[7] Bishops were also granted the power of compelling the judges of provinces to do their duty in administering justice, and of sitting along with

[1] Eusebius, *Vit. Const. IV*, 27; Sozomen, *H.E. I.* 9; *Constit. Sirmond*, n. 1, ann. 331 ap. *Cod. Theod.* ed. Hanel, p. 445–6. Cf. *ibid.*, p. 475.

[2] Cf. *Cod. Theod.*, lib. XVI. tit. 2–6.

[3] *Cod. Theod.*, XVI. tit. 2, 12, p. 1486–7; but cf. Boyd, *The Eccles. Edicts of the Theodosian Code*, pp. 92 ff.

[4] *Nov. Valent.*, III. 16, ap. *ibid.*, p. 176.

[5] *H.E., VII.* II. [6] *Cod. Just.*, I, ii. 12.

[7] *Prag. Sanct.*, or *Novel.* 164, nn. 12, 18, 19.

any judge whose impartiality was in question. They could also, on appeal, decide whether a subject had or had not been injured by the governor of the province.[1]

The large measure of secular authority thus given to the Popes by imperial legislation was increased by the fact of their being the greatest landowners in Italy and, especially after the Lombard invasion, by the helplessness of the imperial officials. The general declaration of the Exarchs of Ravenna, the chief Byzantine officials in Italy, was that they could not send help to Rome against the Lombards, as they were barely able to defend Ravenna itself against them.[2] All the care of Rome and of its impoverished people fell on the Popes. Whilst emperors in the East were arguing about dogmas or interfering in religious questions, the Popes were feeding or fighting for Rome.[3] When Rome was being besieged by the Goths, Pope Vigilius sent it corn,[4] and obtained from Justinian for Italy the liberal scheme of government known as the Pragmatic Sanction.[5]

Pope Pelagius I, when but a deacon, induced Totila to cease massacring the Romans (546).[6] Although they believed that the world's day was o'er,[7] his successors never ceased in their efforts to save Rome from the savage Lombard. They sent priests and senators to

[1] *Nov.* 86 of the year 539: cf. Holmes, *The Age of Justinian*, pp. 689 f.

[2] *Ep. of Pope Pelagius II*, Oct. 4, 584 ap. *Epp. Greg. I*, Vol. II., p. 440, ed. Ewald.

[3] For Justinian, see Procopius, *De Bello Got.*, III. 35; and for Heraclius, see his Life by the Byzantine bishop Sebeos.

[4] Procop., *ibid.*, III. 15. [5] See its Preface.

[6] Procop., *ibid.*, III. 20.

[7] See an inscription of John III, "Mundo deficiente premi," ap. De Rossi, *Inscript Christ*, II, p. 65.

Constantinople to implore the Emperor's help,[1] and even maintained permanent nuncios at Constantinople and Ravenna to press the cause of abandoned Italy and Rome. The nuncio at Constantinople was not to leave the Palace even for an hour, said Pope Pelagius I.[2] Pope Gregory was practically the *praefectus annonæ*, the *curator aquarum*, the *magister militum*, all in one, *i.e.*, he had charge of the corn and water-supply (destroyed by the Goths) and was commander-in-chief and paymaster of the army.[3] By their personal influence, and by their gold which, as great landowners in Italy and Sicily, and even in Gaul, they were able to pour out, Gregory and his successors over and over again saved Rome from the Lombard.[4]

But there was a limit to both their influence and their gold. The Exarchs and Eastern Emperors either could not or would not save Rome. Nay, in the iconoclastic disturbances which they brought about in the eighth century, they attempted to outrage the Popes who had preserved the Eternal City for them. The people of Rome would have no more of them. They threw off an allegiance which had long been profitless, and acknowledged their Pontiffs as their rulers in temporals as in spirituals. Then they turned for help where they knew they could find it. They summoned the Franks to their aid. The power of the Lombard was broken; and the donations of Pepin and Charlemagne extended the temporal sway of the Popes all over central Italy, and up to Ravenna. In return, by crowning Charlemagne as

[1] *Excerpta e Menandri hist.*, c. 29, ed. Bonn. ad an. 579.

[2] Jaffé, n. 1035, 2nd ed.

[3] Cf. *Greg. I, Ep.* XII. 6. The *Liber Pontif.* shows the care of the aqueducts taken by Hadrian I, Sergius II, and Nicholas I.

[4] Cf. *Cont. Prosperi*, ap. *M.G. SS. Antiq., IX. p.* 339.

Emperor (800), the Sovereign Pontiff provided Europe with the finest ideal for which it has ever striven. There was to be one grand Christian Commonwealth, guided by the Pope and the Emperor, who were to preside over it—to use the simile so loved in the Middle Ages—as the sun and moon do over the course of our planet. And if in the end their ideal proved too noble to be carried into effect, these early mediæval pontiffs had won for themselves sufficient temporal freedom to enable their successors to carry on that secular struggle which saved Europe from imperial dominance of soul and body. They had won, too, an overlordship which helped them to guide the steps of the young nations which sprang up from the ashes of the Roman Empire in the West. Their wide authority, both in the spiritual and temporal spheres, induced many struggling peoples to place themselves under their protection, and thus to win for themselves a place among the nations.[1] They were called upon to settle dynastic questions, to decide which ruler was more likely to be of advantage to a country,[2] and, on the other hand, to protect kings whose just authority was assailed.[3] By their recognized dual authority the early mediæval Popes were also able to exert a beneficial influence on the progress of commerce. Their legislation often succeeded in saving from plunder the goods of the shipwrecked merchant, and in preventing depreciation of the coinage and increase of the tolls, a matter which as touching "the international" came specially within their

[1] See the case of Moravia in the days of Stephen VI (885–891), of Poland in those of John XI (985–996). See Mann, *Lives of the Popes in the Early Middle Ages*, V, 149.

[2] See the decision of Pope Zachary in favour of Pepin.

[3] See the case of Leo III and the Northumbrian King, Eardulf, with the comments of Gregorovius, *Hist. of the City of Rome*, III, 15.

cognizance.[1] By saving Rome from the Lombard, and by their personal encouragement and patronage, they even saved art for the West. But on this I need not insist, as this fact is being brought out for you with unique authority by Mrs. Strong.

But more important for western civilisation was the action of the early Papacy with regard to slavery, to monasticism and to missionary enterprise among the peoples of the north of Europe. Who can estimate what our continent owes to the early mediæval Popes by their steady legislation against slavery,[2] and by their having made Christians, through Augustine and Willibrord, through Boniface and Anskar, of the Anglo-Saxon, the Fleming, the Teuton and the Scandinavian?[3] Of paramount importance, too, in the history of European learning and agriculture was the action of Gregory the Great and his successors with regard to monastic freedom. At the request of the Gallic Queen, Brunichildis, and of Bishop Syagrius of Autun, Pope Gregory I in 602 issued a decree forbidding any one—even a king or bishop—to tamper with the possessions of a hospital belonging to Abbot Senator, and guaranteeing the free election of its abbots, under the penalty of deprivation of dignity, and of the "Body and Blood of our Divine Redeemer."[4] To this decree of the *doctor mitissimus*, as he calls Gregory I, did the great Hildebrand appeal

[1] Cf. *Ep. of Honorius II*, 20 May, 1129, *Carissimus noster*, with *Ep.* 11 of Charlemagne, ap. Jaffé, *Mon. Carol*, p. 357, cf. can. 71 of the council of Albi, ap. Hefele, *Conciles*, Vol. VIII, p. 467.

[2] Cf. S.M. Brandi; *Il Papato e la Schiavitu*, Rome, 1903.

[3] Cf. *Ep.* 25 of Pope Innocent I, ed. Coustant. Cf. Hodgkin, *Italy and her Invaders*, VI, p. 418.

[4] *Ep.* XIII. 11 (8). Cf. the two following letters. The authenticity of these letters is acknowledged by Hartmann, the editor of Gregory's letters, and indeed, can only be called in question by a rejection of the whole of Gregory's *Register*.

to justify his action against the emperor Henry IV.[1] It was of course soon followed by similar ones, as it had been even anticipated by decrees of Popes Hormisdas and Vigilius.[2] By the second half of the seventh century the practice of seeking papal protection for monasteries was general, and we may note that the very form of anathema used by Gregory the Great against the violators of his grant of immunity, like so much else that he wrote, passed into a regular formula, and may be traced through all the Middle Ages. By thus bringing monasteries under their own jurisdiction, at a time when king-created bishops threatened to destroy their usefulness with their liberty, it may be said that the Popes saved the civilization of the West.

It is true that before the close of the Early Middle Ages the Popes themselves in the tenth century fell upon evil days. But their work had been done; and, saved by the Holy Roman Empire which they themselves had created,[3] they were ready to guide the Universities, with their scientific and theological studies, of the full Middle Ages, to ward off from Europe the reactionary Turk, and to thwart the attempts at absolute power and world-wide sway made by the rulers of the Western Empire. If the West of Europe has won for itself the highest rung on the ladder of civilization, it is because it was firmly planted and held in position by the Popes of the Early Middle Ages.[4]

[1] See his letter (*Ep.* VIII. 21) of March, 1081, to the bishop of Metz.

[2] Cf. Jaffé n. 864 (565) and n. 1745. Cf. *Ep. Greg. I*, IX, 216. See Eckenstein, *Woman under Monasticism*, p. 50; and G. Kurth, *Les origines de la civil. moderne*, II. 34 ff. and *passim*.

[3] Cf. the letter of Louis II to Basil I ap. *R.I. SS.*, II. pt. II, p. 243.

[4] On the result of the pontificate of Gregory the Great, especially see Gibbon, *Decline and Fall*, chap. 45; and Milman, *Hist. of Latin Christianity*, II. 130; Dudden, *Gregory the Great*, II. 42, etc.

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[1] The copies of Mgr. Mann's volumes were for the most part destroyed during the War by a bomb dropped upon Edinburgh. The publishers (Messrs. Kegan Paul, Trench & Co.) hope to begin reprinting the work soon, and, in time, to be able to complete it. It is much to be hoped that the author may be able to carry out his design of bringing down the story of the Popes to the point where Dr. Ludwig von Pastor takes it up.—EDITOR.

VI.

THE SCHISM OF THE WEST AND THE CONCILIAR MOVEMENT.

By the Rev. Walter Gumbley, O.P.

The schism of the West, which lasted from 1378 to 1417, was a dispute, not concerning the papal authority, but concerning the actual person of the Pope, *i.e.*, as to whether the claimant at Rome or at Avignon was the legitimate successor of St. Peter. We hope to discuss in this paper the attempts to reunite Christendom by what may be styled the conciliar movement, and to see how far it succeeded or failed. We shall deal first of all with the outbreak of the schism, namely, the election of Urban VI in 1378, followed by the desertion of the cardinals who elected a rival or anti-pope at Avignon. After thirty years (1408) of schism we arrive at the Council of Pisa, which, in an attempt to reunite Christendom, failed and added a third Pope; finally, in 1417, after the abdication of Gregory XII, the Roman Pope, generally recognized as the legitimate Pontiff, the election of Martin V at Constance healed the schism.

Previous to the Schism of the West, no less than thirty anti-popes figure in the history of the Church, but by far the greater majority of these had been intruded by the secular power in order to support itself against the lawful claims of the true pontiff, thus making it a comparatively easy task to distinguish the true pope from the false. But what constituted the gravity of the Western schism was the almost insuperable difficulty of

discovering the true successor of St. Peter from amongst the three rival claimants to the papal throne, because the schism was made by the very men whose duty it was to choose the Vicar of Christ. For us, looking back some five centuries, it is comparatively easy historically to discover the legitimate Pontiff, and to estimate the value of the rival claims, but for the people living during those forty years of schism it was almost an impossible task, and they accepted the claimant favoured by their own rulers.

Though the action of the cardinals was the immediate cause of the schism, the remote causes were many and various; not the least important was the unsettled state of Rome itself, which had made the city a most insecure residence for the popes through many centuries. When Blessed Benedict XI died at Perugia on July 7th, 1304, a protracted conclave terminated in the election of a French archbishop, Bertrand de Got, of Bordeaux, who, mindful of the fact that his predecessor (an Italian) could not dwell tranquilly in Rome, determined to postpone his own journey to Italy till a more propitious time—this postponement was destined to endure during the reign of his six successors, a period of over seventy years. It has long been the fashion among historians to represent the Papacy as completely subservient to the French Crown throughout the whole of this period, but we feel bound to consider this a gross exaggeration. Six of the seven Avignon pontiffs, including the first of them, Clement V, were actually subjects of the English Crown previous to their elevation to the papal chair; and though they showed a preference for the French rather than the English kings, yet subservience is not the word to use; in fact the French

kings were only too glad to avail themselves of the papal power, especially the Pope's influence as mediator between France and her English invaders. We must bear in mind that the last half of the papal residence at Avignon coincided with the wars of Edward III, during which time the French kings could scarcely be considered masters in their own country. Again, four of the seven Avignon popes were men of uncommon strength of mind; John XXII, Benedict XII, Innocent VI, and Bl. Urban V were not rulers likely to submit to the complete domination of kings who themselves had not the same strength of character. Consequently we must be on our guard against attributing to the French Crown too much of the guilt of the schism. Many writers have held the opinion that as the French kings had dominated the papal court for seventy years when the schism broke out, they in more or less bad faith eagerly welcomed the continuance of the French line of popes living at Avignon, even as rivals to the Roman Pontiffs, whom conscience told them were the legitimate successors of St. Peter.

When Bl. Urban V returned to Rome in 1367 he was forced by the turbulence of his subjects to return again to Avignon, but his successor Gregory XI finally transferred the papal court back to Rome in 1377, where he died the following year, March 27th, 1378. On his death the Romans by their violence furnished the French cardinals with an excuse for their schismatical election of Clement VII, an excuse which, though they themselves employed it in bad faith, was nevertheless of sufficient apparent value to draw several important nations to their cause.

We have but little space to give an adequate account

of the conclave which assembled in April, 1378, to choose a successor to Gregory XI, but some short account is essential. The Sacred College consisted of twenty-two members, six of whom had remained in Avignon when Gregory XI returned to Rome, so that sixteen only were present in conclave, four Italians, one Spaniard, and eleven French. Had the French cardinals been united they would have easily carried the election, but the division between the seven cardinals from Limousin and the other four French cardinals was even more marked than that between the French and Italians.

The Spaniard, Peter de Luna, seems to have attached himself to the four French in opposition to the Limousin cardinals. Three out of the last four popes had been Limousin ; and rather than see another on the papal throne the French were ready to ally themselves with the Italians to choose an Italian pope. The candidate they chose was Bartholomew Prignano, Archbishop of Bari, who though not a member of the Sacred College had held high offices in the papal court, and was greatly esteemed by all. Without entering into the circumstances of the election in detail we think it is clear, in the light of subsequent history, that the election of Prignano as Urban VI on April 8th, 1378, was the free choice of the cardinals, and was not forced on them by the violence of the Romans. The Limousin cardinals, seeing that they could not obtain the election of one of their number, were equally content to vote for Urban VI as an outsider, rather than agree to the election of any one of their opponents in the Sacred College. When immediately after the election the mob threatened the lives of the cardinals unless they elected a Roman, they even feared to announce the election of the Archbishop

of Bari, who was an Italian, but not a Roman. When the city was quiet again the cardinals left the strongholds in which they had taken shelter after the conclave, and on April 18th proceeded to the coronation of the new Pope. They announced the election to the universal Church, firstly on April 19th to their six colleagues who had remained behind at Avignon, then to the Emperor on May 8th, and afterwards to the other kings of Europe. It is of interest to note that the Cardinal of Geneva, shortly to become the anti-pope Clement VII, wrote in person to King Charles V of France, and to his own cousin Louis de Maele, Count of Flanders. Peter de Luna, Clement's successor, on his side, wrote to the Spanish bishops announcing the election and coronation of Urban VI. Thus we see the two principal actors in the schism affirming the validity of Urban's election. The cardinals at Avignon wrote to the new Pope expressing their homage and placed his arms over their palaces.

For nearly five months the cardinals acknowledged and obeyed Urban as rightful Pontiff, and then, to the astonishment and scandal of Christendom, fled from Rome, and meeting together at Fondi in the Kingdom of Naples, declared Urban's election invalid and proceeded to another election, which on September 20th resulted in the choice of the cardinal of Geneva, who called himself Clement VII. The cardinals then wrote to the European courts explaining their action, which they defended on the ground that the conclave at Rome was not free, owing to the violence of the citizens, and that the election of Urban was therefore null and void. Charles V of France and the nation with him acknowledged the validity of Clement's election, and in this they were followed by Spain and Scotland. The Empire

and England, with many of the Italian Republics and the greater part of Flanders, adhered to the Roman Pontiff. There is no doubt that policy to a large extent dictated the line of conduct followed by the European courts, but we must admit that the answer of the English government to Charles V, who had written on behalf of the Avignon pope and cardinals, was a logical exposition of their reasons for obeying Urban.

The schism was now an accomplished fact, and for forty years Christendom was distracted by the spectacle of two and even three rival Pontiffs claiming her allegiance. Pope anathematized Pope, generals of orders excommunicated their rivals, and often two bishops strove for possession of the same see. In the parts of Italy subject to, or in alliance with, France, the Urbanist bishops became fugitives; and French bishops subject to the English Crown were bidden to acknowledge Urban. The English king even nominated Englishmen to French dioceses, *e.g.*, William de Bodekisham, O.P., a celebrated doctor of Cambridge, to the See of Nantes in 1380.

The spiritual sword was cast aside for the material one, and both Popes declared a crusade against each other, a state of things which endured till the death of Urban in 1389. What hopes may have been entertained that the Avignon Pontiff would be accepted by all were immediately frustrated by the election of a successor to Urban at Rome, in the person of Boniface IX. To the Roman cardinals, however, Clement's election was so obviously invalid that they took the only logical step and continued the Roman line. Clement VII died at Avignon, September 16th, 1394, and his death provided the French cardinals with a unique opportunity of

healing the schism. But by far the greater number of these were new creations, and there is no reason to doubt their belief in Clement's position as lawful Pontiff, so that we may also consider their election of a successor as a logical step and one of good faith. Concerning the man chosen we have plenty of ground for suspicion. Peter de Luna, now Benedict XIII, was one of the ruling spirits in the election of Urban VI, and on not a few occasions had professed his belief in the validity of Urban's election. He was now to prove the most obstinate of all those elected Pope during the schism. Attempts were seriously made by the French Crown and the University of Paris to bring about peace and union; but Benedict, whilst apparently favouring these designs, placed in the way every obstacle he could, so that during the last ten years of Boniface's reign, that is from 1394 to 1404, nothing was accomplished, with the exception that many now withdrew from Benedict's allegiance. In 1404 Cardinal Meliorati was elected to succeed Boniface, and he determined to hold a great council with a view of ending the division, but owing to the troubled state of the Eternal City he was prevented from doing so. On his untimely death in 1406 Cardinal Angelo Corrario became Pope as Gregory XII. Following the example of the two former conclaves, Gregory before his election had, together with the other cardinals, bound himself by an oath to resign the Papacy if it were necessary for the peace of the Church.

To the despairing it must almost have seemed that Christendom would have to become reconciled to the spectacle of two Popes: it was now well-nigh the thirtieth year of the schism and the division was as marked as ever. But towards the end of this epoch a

feeling was beginning to manifest itself very generally in favour of assembling a council of both obediences, which council should decide the vexed question of the rival pontiffs and put an end to the schism. From 1394 onwards, the principal doctors of Christendom had been striving to find a way out of the dilemma, and of the many ways suggested three seemed to commend themselves best, firstly, the abdication of the rivals; secondly, the decision of a commission to be selected by the two claimants themselves; and thirdly, a general council. The first means, though eventually chosen by the legitimate Pontiff, Gregory XII, in 1415, was for more than twenty years constantly rejected by all the claimants; the second was obviously impossible, as both Popes firmly held to the legitimacy of their own claims, and both (at least the Roman Pontiff, if not Benedict XIII) were convinced of the invalidity of the other's position, in which case an adverse pronouncement of a commission would have little effect on them. The third expedient, that of a general council summoned by the Church as a whole, and if need be independently of either Pontiff, soon became the one most strongly advocated; and in France, where this theory was predominant, it received the support of the two principal doctors of the day, Peter d'Ailly and John Gerson. This opinion was based upon the theory of the supremacy of a general council over the power of the Pope, a theory advocated in the University of Paris and other schools long before the great schism. It was the troubled state of the Church that emboldened the holders of this doctrine to advocate it now with such insistence. As we shall see, however, most probably the majority of those who acceded to it at Constance only regarded it as an

expedient. Both Roman and Avignon obediences had witnessed the assembly of several councils, but these had no effect outside their own particular obedience. Much had been expected from Gregory XII, whose promises of abdication were frequent and apparently sincere, but always came to nothing as long as Benedict continued to rule. Finally, the cardinals of both obediences determined to leave their respective masters, and in company with the chief bishops and doctors of the principal countries, assembled at Pisa in 1408 and formed a council without any reference to either Pope. There were present twenty-two cardinals, four patriarchs, and about eighty bishops, including representatives from most of the European nations, the English ambassadors being the celebrated bishops, Robert Hallam of Salisbury and Thomas Langley of Durham, both subsequently created cardinals. The council in the first place proceeded to judge the position of the rival Pontiffs, cited them to appear at the synod, and on their refusal solemnly pronounced their deposition. The cardinals next entered into conclave, and by electing Cardinal Peter Philargi as Pope, under the title of Alexander V, fondly hoped they had achieved the union of Christendom. For the moment it seemed that their hopes were justified, because France, England, Flanders, a great part of the Empire, and most of the Italian states at once rallied to the side of the Pisan Pope. We read in contemporary English history that Robert Hallam was especially empowered as ambassador to bind all the clergy and laity of the kingdom to the decrees of Pisa. But this beautiful dream soon passed. Benedict XIII, supported by Arragon, and Gregory XII, by the chivalrous Charles Malatesta, Prince of Rimini, one of the

most beautiful characters in mediæval history, each retained some portion of their obedience; and though their cardinals had left them, they could, and did, create others. The net result was three Popes, three colleges of cardinals, in some dioceses three contending bishops, and in some religious orders three rival generals or chief superiors.

It is difficult to form a just judgment of the Council of Pisa. It was certainly not ecumenical, for it has never been regarded as such by the Church. It was, however, a well-meant effort to give peace to divided Christendom, but it was an assembly completely lacking a canonical convocation, and it was this flaw that negatived its action. Pope Alexander V and his successor John XXIII, the two Pisan Pontiffs, are often claimed as true Popes from the fact that their names are to be found in the generally accepted list of Roman Pontiffs; but this list has never received any authority, and some names of anti-popes are still found there. The list includes Gregory XII and his Roman predecessors, but not the Avignon Popes Clement VII and Benedict XIII. The most that can be granted the Pisan Pontiffs by the majority of Catholic historians is that they are not to be regarded as formal anti-popes, seeing that their election was made in good faith. Nevertheless the Council of Pisa was a dangerous expedient; and though modern writers are inclined to treat it with leniency, one of the most prominent, Dr. Pastor, says "The Synod of Pisa, according to Catholic principles, was from the outset an act of open revolt against the Pope. That such an essentially revolutionary assembly should decree itself competent to re-establish order, and was able to command so much consideration, was only rendered possible

by the eclipse of the Catholic doctrine regarding the Primacy of St. Peter and the monarchical constitution of the Church occasioned by the schism." (*History of the Popes*, I, p. 178, Eng. trans.) Contemporary writers have still less mercy for it, and writers such as Cardinal John Torquemada (d. 1468), who received from Eugenius IV the title of *Fidei Defensor*, and his contemporary and fellow-Dominican St. Antoninus, Archbishop of Florence (d. 1459), regard it as something similar to the Conciliabulum of Basle.

Alexander V, elected in 1409, only survived his election eleven months, and the Pisan cardinals, strong in the support of the greater part of Christendom, had no hesitation in continuing the Pisan line of Popes by electing on May 17th, 1410, Cardinal Balthasar Cossa, who styled himself John XXIII. Though accused by his contemporaries of notorious vices and crimes, the fairest estimate is probably that of St. Antoninus: *Vir in temporalibus magnus, in spiritualibus nullus vel ineptus.*

The Council of Pisa had decreed that a council for the reform of the Church should assemble within the space of three years; accordingly John XXIII convened it at Rome in 1411, but owing to the unsettled state of things it could not meet till 1413, and even then it was forced to dissolve without performing anything of importance. At this period a new element appears in the conciliar movement, namely the temporal power personified by the new Emperor Sigismund, who from now onwards made it his chief object to bring about unity in the Church. Pressed on all sides, John XXIII was forced, much against his will, to convoke a council to meet at Constance, the first session of which was held in November, 1414.

The Pisan Pope now became seriously alarmed, for he perceived that the council regarded him merely as one of the three claimants, and the news reached his ears that his own conduct was to become a subject of enquiry. He who had hoped to rule the council now saw that the council was bent on ruling him. He had hoped to sway its proceedings through the greater number of Italian bishops dependent on him, but the council frustrated this plan by deciding in a session held on February 6th, 1415, that the voting should be done according to nations (*nationaliter*), the four nations being Italy, Germany, France and England, from which latter nation, numerically the least important, the suggestion seems to have come, its sponsor being the Bishop of Salisbury, Cardinal Hallam. Another departure from the customary procedure was the granting of votes to others than bishops, generals of orders, and abbots; thus allowing mere doctors in theology and canon law to vote.

On February 28th, John was made to undertake and promise to resign if his rivals agreed to do the same. John read this statement publicly, and under pressure from the Emperor embodied it in a Bull, issued March 7th, but steadfastly refused to name proctors with authority to offer his resignation in his name. The council began to distrust his intentions, and fearing he might flee the city, tried to forestall such an attempt, but John nevertheless managed to escape on March 20th. This flight of the Pope placed the council in a most awkward predicament, for they feared that John would declare the assembly dissolved. It was only the energy of the Emperor that kept it together, and now its anger was turned against the Pisan Pope. In its fourth and fifth

sessions it passed the notorious decrees which declared the Pope subject to the council. This theory, which had already been broached by many doctors, more especially those of Paris, was most probably only intended here as an expedient, but we will return to these decrees in a moment.

John was brought back a prisoner, and the council proceeded to condemn and depose him in a most blameworthy manner. More than sixty charges were drawn up against him, containing fantastic accusations of most heinous crimes, which, even granting John to have been a most depraved character, which is not proven, were even then grossly exaggerated. His deposition took place on May 29th. Had the council been a true one, its next step logically would have been to elect a successor to John, but the lesson of Pisa had been well learned, and they now determined to bring about the resignation of John's rivals. Gregory XII had long promised to abdicate, and of the genuineness of his recent protestations the council had no reason to doubt. Gregory redeemed his promise when on July 4th, 1415, through his proctors Prince Malatesta and the Blessed Cardinal John Dominici, he formally renounced his dignity as Pope, but premised this act with a solemn convocation of the council, declaring it true and legitimate. We can say that, technically, the council of Constance did not heal the Schism, this being done by the sole action of Gregory XII, the one whom by far the greater number of historians consider as the undoubted successor of St. Peter. Nor was his action in convening anew the council a mere empty formality, because practically all theologians maintain that, antecedent to this, the council was certainly not ecumenical; but afterwards it

most probably was. The council, it is significant to note, accepted readily the confirmation, and all traces of anxiety concerning its status disappeared. That it had suffered anxiety on this point is amply proved by its somewhat hysterical action in regard to John XXIII. The council, grateful for Gregory's act, declared him Cardinal Bishop of Porto, with the permanent rank of being second only to the reigning Pontiff. He died on October 18th, 1417, less than a month before the election of his successor, Martin V. Though there is no real significance in this fact, for having once resigned he was no longer pope, yet some have interpreted it as a proof of his legitimacy, God not permitting another pope to be elected during his lifetime. We can cite the examples of Benedict V and Celestine V as having renounced the Papacy and lived under their legitimate successors. Two years after Gregory's abdication the council, having done all that lay in its power to overcome the obstinacy of Benedict XIII, proceeded to declare his deposition on July 16th, 1417, a sentence which the obstinate old man disregarded, and in his retirement in the Castle of Peniscola maintained his claim to be regarded as the only true Pope. He died in his schism November 29th, 1422.

The next great step that occupied the attention of the council was the election of a new Pontiff. Many held that this should be postponed until the council had fully carried out its project of reform. Cardinal Hallam and the Emperor Sigismund both strongly urged this view, but Hallam died rather unexpectedly, and through the mediation of Henry Beaufort, Bishop of Winchester, a compromise was arrived at, by which the council should ensure that the reformation of the Church should really

take place after the election of the new Pope, by issuing a synodal decree for that purpose. It was likewise enacted that in addition to the cardinals, whom the council quite openly distrusted, thirty other prelates and doctors, six from each of the five nations of Italy, France, Germany, England and Spain, should take part in the conclave. The six English were Richard Clifford, Bishop of London, Nicholas Bubwith, Bishop of Bath and Wells, John Catterick, Bishop of Coventry and Lichfield, John Wakering, Bishop of Norwich, Thomas Spofforth, Abbot of St. Mary's, York, and Thomas Poulton, Dean of York. Clifford of London is said to have been a favoured candidate, but on the third day of the conclave, November 11th, 1417, Cardinal Otho Colonna, a Roman, was elected and took the name of Martin V.

The Church had now, through the energies of the council, received a head recognized by all Christendom except Benedict XIII and his few retainers. The work proposed by the conciliar movement was at an end, but some of the errors in its work and teachings continued. Its attempted depositions of the Popes, both at Pisa and Constance, opened the way to the action of the schismatic council of Basle less than twenty years later. On the question of deposition the Council of Constance by its action contradicted its predecessor at Pisa, in acknowledging as lawful Gregory's convocation and subsequent abdication, although Pisa had deposed him.

The errors fostered by the council, or rather by a number of its members, had a more serious and lasting effect. These errors may be summed up under one head, namely, the supremacy of the council over the Pope, which teaching was embodied in the notorious decrees

of the fourth and fifth sessions, which were passed immediately following on the flight of John XXIII. Of these decrees, the two important ones were the first and second, which ran as follows:—(1) "The Sacred Council of Constance, legitimately assembled, forming an ecumenical council, and representing the Church militant, holds its authority immediately from God, and all persons of whatever dignity, even the Pope himself, are bound to obey the Council in all that regards the faith, the healing of the schism and the reformation of the Church of God in her Head and members." (2) "That all persons, of whatever dignity, even the Pope himself, who shall obstinately refuse to obey the decrees, statutes, and ordinances of the holy Council, or any other general council canonically assembled, shall, unless they repent, suffer the punishment they have deserved, and if need be, recourse shall be had to other means of law."

It is obvious to any Catholic that these propositions contain doctrines subversive of the papal authority, and themselves, rather than heal, would lead to schism. Now, is it conceivable that Martin V could have approved these teachings? Yet we are asked by Gallican writers and other opponents of papal supremacy to believe that Martin V solemnly approved them on two occasions, firstly, in the Bull *Inter Cunctas*, February 22nd, 1418; and secondly, in a verbal statement of April 22nd, 1418. In the first case referred to, the Bull was one directed against the Hussites, and contained certain questions to be asked of the heretics, amongst these being a demand as to whether or not they believed "all that the Council of Constance approved and approves in the matter of faith."

It is certain, in view of a later declaration of March

10th, 1418, interdicting all appeal from the Pope to a general council, that Martin V did not intend to include these decrees of the fourth and fifth sessions in the matters of faith. Possibly he used an expression at one and the same time vague, yet implying a reservation.

The second occasion on which he is alleged to have approved the decrees in question was in the forty-fifth session, April 22nd, 1418, when the Poles demanded the formal condemnation of the Dominican writer John Falconberg for his book which advocated the assassination of tyrants, and more particularly of Ladislaus Jagellon, King of Poland and Lithuania. Falconberg had already been condemned in a meeting of the four nations, but not in a full session of the council. The Teutonic knights, at war with Poland, supported Falconberg; and as their ambassadors and followers at the council threatened a tumult, Martin V calmed the storm by declaring that "all that the holy council here assembled had resolved in matters as a council (*conciliariter*), must be believed and observed inviolably; I approve therefore and I ratify all that has been done council-wise (*conciliariter*) in matters of faith, but not what has been done otherwise or in any other way." In this second declaration the stress laid on the word *conciliariter* or council-wise naturally leads us to enquire the sense and value of the word. It was obviously employed in contradistinction to the word *nationaliter*, or "nation-wise." Now the decrees of the fourth and fifth session were drawn up privately by only three of the four nations then present, England, France and Germany. At the fourth session Cardinal Zabarella, who published them, read out a very curtailed edition,

omitting words derogatory to the papal dignity. Moreover the Italians, by far the most numerous, and the cardinals, equally rejected them, and implored the Emperor Sigismund to hinder their publication. Zabarella's action was the result of this protest. At the fifth session, when the decrees were published in their entirety, the majority of the cardinals, including D'Ailly himself, purposely absented themselves, and the few who attended did so under protest, and, as they said, "to avoid scandal," but they refused to vote or to publish them, and the reading of them was entrusted to Andrew Lascar, Bishop-elect of Posen. When eleven days later, on April 17th, 1415, Cardinal D'Ailly called on the council to condemn Wycliffe's teachings in the name of the council alone, the commission appointed by the council to discuss the question pronounced against D'Ailly's demand by a large majority. Lastly, we must consider that the fifth session, so hostile to John XXIII, was held just after the flight of that Pope when the council feared dissolution; and, undoubtedly, in the minds of many, the Council's action was an expedient used for the occasion, in order to meet an apparent crisis. Later, in the history of the Church, the decrees in question were used as a weapon against the Holy See by the Council of Basle, but met with a merited condemnation from Eugenius IV at the Council of Florence, in his Constitution *Moyses vir Dei*, published September, 1439. They were also appealed to by the Gallican Church in 1682, but the decrees of the Vatican Council put an end to further discussions.

This brings us to the conclusion of our examination. We have seen the rise of the schism, namely, the doubt concerning the election of Urban VI in 1378, fostered

by the French cardinals and followed by the election of a rival Pontiff who resided at Avignon; then the attempted union at Pisa in 1408, which only added to the confusion by raising up a third claimant, and finally the abdication of Gregory XII in 1415 at Constance, and the election of Martin V in 1417, recognized by the universal Church. Papal authority was untouched by the actual schism, which was not an error concerning the power of the Pope as Vicar of Christ, but only a dispute concerning which actual person was Vicar of Christ. The errors which grew up during the schism were due doubtless to the unsettled state of Christendom, resulting from the dual and triple obedience, but more particularly to the methods in which attempts were made to bring about unity. Martin V, by his wise rule, and Eugenius IV, at the Council of Florence, were able to stem the tide of the revolutionary views which had grown up during the forty years of the Schism of the West.

VII.

ST. PIUS V: REFORMATION AND COUNTER-REFORM.

By the Rev. J. H. Pollen, S.J., B.A.

In our series of studies on the Papacy we have been considering the Conciliar Movement, which began in the 14th century and lasted on till the beginning of the 15th. We must now select a period to give the characteristics of the ensuing age, that is, the four and a half centuries which run from about 1420 till the Vatican Council in 1870, which point has already been selected as our last great signpost in the course of papal history. In this long period there can be little or no question that our choice will somehow connect itself with the great upheaval commonly called the Reformation, and the even more wonderful reconstruction called the Counter-Reformation. This narrows the number of years to be considered down to about eighty. Then among the Popes who reigned during those years, the common opinion clearly marks the three Counter-Reformation popes, Pius V, Gregory XIII, Sixtus V as the most worthy of our attention. And again, out of these three, the first, St. Pius—though he is not a wholly flawless figure—nevertheless is certainly the most worthy of special study. Pius was evidently a saint, whom his great Protestant contemporary, Sir Francis Bacon, intimately bound though he was to the Protestant leaders, openly declared to have been worthy of canonization, and this not long after Pius's death.

Antonio Ghislieri had taken the name of Michael when he entered religious life among the Dominicans; and when made a cardinal by Pope Paul IV, he simply took the name of his native town, becoming Cardinal Michael de Alessandria. From his first days of convent life he had been remarkable for the strict regularity of his observance, and he never relaxed in the least from his first fervour in this regard. The matter is too well-known to need labouring here; it will be sufficient to take a glance at his conduct immediately after his elevation to the papal crown.

He was of course at once surrounded by the papal body-guard and the very considerable number of the personal attendants. Such an experience, one might have thought, would have impressed a new pope, and possibly have reduced him to silence. But it did not have that effect on Pius. On the contrary, he at once started evangelizing the flunkeys around him, and a few days later vigorous reforms were introduced into their discipline, and the faults, and even vices, which so soon creep in under easy-going masters, had been exorcized. So it went on in every branch of the papal administration. Youthful clerics were to present themselves anew for further examinations; all lives were carefully looked into, and every abuse was summarily corrected or punished. Family life was scrutinized in earnest, offenders were swiftly punished, and old offenders (women as well as men) had to pay their debt of justice sometimes by stripes, sometimes even by death. Scant allowance was made for age, rank or past services. All persons of bad life had to leave Rome. Severe, and even capital punishment was exacted with dread regularity.

But what made a deeper impression was the sight of

even-handed justice administered to all alike, without favouritism on the score of relationships. Tribal cohesion was then of enormous force, and was held generally in honour and respect. But the new pope paid little attention to the claims of nepotism. He had three or four nephews students in various Jesuit colleges. Pius did his duty in encouraging and protecting them, but it was soon evident that in important matters they possessed no determining influence. The Pope, however, did not exaggerate in resisting a tendency like nepotism, which was still in high esteem, so when the Spaniards combined to urge the promotion of Antonio Bonelli, a third nephew, he was advanced in the regular course to the cardinalate as Michele Bonelli, and did good work as Cardinal Secretary of State, though he did not wield extraordinary power. No other relatives or connections profited from their closeness to the papal throne; while every one knew that some more distant relatives, who had attempted to do so, had found that they were reckoning entirely without their host.

Besides this, every one could see how truly spiritual a man Pius was, how given to long prayers, to tears as well as to fasting and to mortifications of the flesh, in spite of years and infirmities. If men like Bacon recognized that there had been a saint at the helm, how much more would this have been evident to Catholic eyes on every side! It was true that those who were acquainted with the old traditional ways of the Papacy, and admired its moderation and political sagacity, were not always enthusiastic for the ways of the new pope. He was too vigorous a disciplinarian to be a general favourite; and there would always be some unfriendly critics of a method of government which thought it a

virtue to be on its guard against gratifying everybody promiscuously.

And now, as my time is short, I pass summarily to the main part of my theme. I may assume that in all Catholic countries Pope Pius soon achieved the reputation necessary for a Catholic reformer, and that he almost immediately began to act with that clear purpose and masterful decision, which are indispensable for the reorganization of religion on a large scale. In England and Scotland, however, Pius was confronted with difficulties of the gravest kind. In both countries the final fall had been but recent, and in both there were still very many Catholics. On the other hand, in both, the government was held by forceful and resolute Protestants, able by their circumstances to isolate the surviving Catholics from all help from neighbours. It was Scotland which Pius endeavoured to assist first. Let us see how he proceeds.

The Scottish bishops had by now all been ousted, and the Church robbed and reduced to impotence. Every monastery and convent had been suppressed, every parish had been seized by the heretics, though the resistance of Scotland had previously been courageous and persevering. Catholicism had held out for almost a generation after it had failed in England, but it had not made those reforms which were necessary in order to withstand the attack which threatened. The Scottish church had largely remained in the hands of laymen. Every post of profit or honour was held by some scion of the nobility, often, alas, by illegitimate children. The wealth of the Church was her undoing, and her shepherds were too easily reduced to silence, some even became wolves. The return of Queen Mary Stuart in 1561 had

somewhat tempered the fanaticism of the new religionists, but the young queen had not the power to reduce them to impotence. There were revolutions from which Mary had recovered no little power by her own vigorous action, but upon the whole the uncertainty of her position became ever clearer and clearer. She had written to Pius on the occasion of his accession, and the Pope, with his usual large-heartedness, had burst into tears even in the public audience at which the letters were read. It was heartrending, he said, to hear of constancy so touching, and yet to be so little able to help. He put pressure on France and Spain to send aid, and when they were unable to help effectively, he acceded to Mary's request, and prepared to send her a small subsidy. In accordance, however, with his businesslike methods, he purposed to send her a nuncio at the same time, who should look to it that the money which he provided by painful economies should not be paid over to the queen till she had begun to make reforms for the advantage of the Scottish Church.

But the course of events did not stop still while Monsignor Laureo, the nuncio and Bishop of Mondovi, was slowly approaching Scotland. Mary had (wisely for her circumstances) prepared for the birth of her son (the future King James) by making peace with the revolutionary party. The Pope was not altogether pleased when he heard of this, and still less acceptable news followed. The differences between Mary and her husband Darnley grew more and more marked, and when at last the nuncio sent over his envoys to see the queen after the baptism of the infant James, Edinburgh was startled by an explosion, and Darnley was killed in the falling house. A few days later Mary was carried off by

Bothwell and forcibly married to him. This deed was all the more ominous and suspicious when we recall that many well-informed neighbours suspected that the author of the rape had also been an agent in the murder.

This news being forwarded to Pius by his own envoys, he at once made up his mind that he must break off all further communication with the compromised queen, and her subsequent imprisonment made the rupture all too easy and prolonged. Up till August, 1586, he was still neutral in her regard. "The Pope's mind is still undecided," wrote his secretary, "which of the two queens [Mary or Elizabeth] is the better."

But we can now see that if Mary had made faults and mistakes, Pius had also missed the point sometimes, and was still unable to deal with the immense difficulty of communication with Scotland. When once her constancy and fortitude under great trials had become clear, Pius was willing and ready to approve her cause, and even to commend and acclaim it.

After the flight into England, Mary's position, though still not free from obscurity, steadily improved. Her presence here brought to a head her claim as heiress to the English throne, and also sharpened the Protestant opposition to that claim. A conference between both sides in the Scottish quarrel was called at York, Elizabeth and Cecil probably hoping that both sides in the quarrel would become more bitter than ever. Nevertheless, no sooner were the conferences at York over than it was announced that a marriage had been arranged between the Scottish Queen and the Duke of Norfolk, head of the English nobility. Elizabeth had issued an ambiguous finding, that nothing injurious to the good name of her dear sister the Queen of Scots had been proved, and also

nothing contrary to the honour of her opponents. People at large, both at home and abroad, accepted this ambiguous sentence as one of acquittal for Mary in regard of all the hard sayings which had shortly before been circulated against her. By the spring of 1569 it was Cecil and his party who were on the downward grade in public favour, while Mary's side was attracting followers.

Pius, upon this, determined to adopt a bolder policy in Elizabeth's regard, but we do not know exactly when he came to this opinion. Originally he had tried to follow the advice of a mutual friend, Bernardo Ferrario, who advocated friendly intercourse with Elizabeth's party, and Pius had answered that "he would gladly give half the blood in his body" to achieve the object desired. But nothing had come of the tentatives.

After the conferences at York, which ended in January, 1569, projects for bringing matters to a climax slowly matured till August, when the Duke of Norfolk was arrested, and in October he was sent to the Tower. On the 14th of November the adherents of the Percies, feeling that Cecil would attack them next, raised the Percy standard, and the Rising of the North had commenced.

Unfortunately the Catholics had taken no adequate measures to raise the armed force which they knew was necessary for an insurrection in arms. They had even promised Dr. Morton, when he was acting as papal agent in England, that they would not rise, until they heard once more from the Holy Father. But now want of discipline prevented their keeping the peace while circumstances lured on to war. It is a common experience, that a brave but weak untrained force is especially liable to strike prematurely when waiting seems dangerous,

and so it fell out here. It was not the leaders who drew the sword, but the zeal of the more fervent followers. The banner of the Five Wounds was let fly through want of discipline, the die was cast prematurely.

It was the 14th of November that the Northern Earls rose to help Queen Mary, and their only successes were won in the first week or so. When the government forces were ready to take the field in December, the insurgents gave ground. The foot had been disarmed before the middle of December, and the horse crossed the Scottish border on the 21st. Many lost their lives through the persecuting zeal of the Tudor officials, and many were the Catholic families reduced in a moment to ruin and beggary.

Yet so slow was the transport of news that Pius had not heard the rumour of calamity until the middle of January, and even then he went on for yet another month, unable to believe that the bad news was true. Indeed, he seems to have resolved on precipitate action even before the Percies drew the sword.

It was probably in October that Pius heard (the post time being three months) that a small insurrection or disturbance had taken place in the previous July in Suffolk. On the 3rd of November, at all events, Pius wrote to Alva, the Spanish General in the Netherlands, urging him to be ready to help the English Catholics at any moment. But this was a diplomatic error. So much zeal seemed to the cautious Spaniards to portend instant reckless action on the Pope's part. This so worried Alva, that he actually set about making plans for a counter-attack on France, in case the Pope should incite that country to assault England. Alva's letter on this topic (5 December, 1569) may have reached

Rome in the middle of January, and seems to have convinced Pius that, if any initiative was to be taken at all, he himself must assume the lead. At the same time rumours must have been reaching Rome that the rising was proximate, or the first rumble of war may actually have been heard. Pius wrote off on the 4th of February to Alva yet another pressing exhortation to action, and then, suiting his acts to his words, opened the process for the excommunication on the very next day.

In commencing the process against Elizabeth from its logical starting point, Pius was acting on the experience of the previous year. In 1568, after various false alarms, he had sent into England Dr. Nicholas Morton, formerly canon penitentiary of York, to ascertain the real feelings of the English Catholics in regard to the adoption of strong measures against the heretical queen. Morton's experience when he got there made him believe that a forward policy would be welcome to the Catholics as a body. But divided counsels had been prevalent in Rome when he started, and had prevented his receiving orders which would have brought about a conflict. This should now be remedied. The case for and against open censure of the queen should be clearly faced and definitely stated. There was a regular, a century-old course for the manner of proceeding in the case, and Pius decided that it should at once be followed in detail. A fairly complete record of the actual proceedings has survived.

As very little has yet been known about this interesting document, it may be worth while to give an account of my good fortune in happening to meet the MS. I was interested in the Oratorian annalist Laderchi, who in the eighteenth century had partly translated and printed the *processus* against Elizabeth, and I had come across some

letters of Laderchi's in the Vallicella Library, addressed to Cardinal Pico della Mirandola, describing his difficulties with the Maestro del Sacro Palazzo, the official director of the Index, whilst so occupied. Laderchi begins by saying (p. 65) that the aforesaid *Maestro* has ruled that the story of the conflict with Elizabeth must be remorselessly cut down [*absolutamente troncato*]. It appears that Laderchi's history of Gregory VII had entailed serious controversy, and there was danger even now of the Dutch Government imposing an oath upon their 300,000 Catholic subjects, which would bind them to renounce even the indirect power of popes over princes.

In the next letter (No. IX, p. 95) we see Laderchi still striving in vain with the *Maestro*. The justification of St. Pius was to be omitted, and the process was not to be printed till times should improve. This, says Laderchi, is practically to shelve it for ever. In letters X and XI the same reflections continue; strong opinions are cited from St. Philip and from Hosius commending frankness in history, and the indignity of yielding to fears of the Jansenists is resented (Vallicelliana H.2, *Lettere di Laderchi*).

Continuing my researches, I next found that the original MS. of Laderchi's *Annales* was still in the Vallicelliana library, and on consulting it I saw to my delight that his manuscript would lead me a step further than his printed volume.

It was at once clear that Laderchi had been working with the original process against Elizabeth open before him. According to Roman custom he began by folding his paper down the middle, then on the left-hand side he had cited long passages from the original, and

especially the depositions, which were in Italian. After this, however, he had translated the Italian into Latin in the right-hand column. The last step was to cancel entirely the original Italian in the left-hand column. But fortunately this operation was not accomplished completely. The new black ink used in cancelling did not blend or mix with the older greenish ink in which the citations were made, and so the citations remained quite legible underneath the cancelling. It was easy to copy them afresh, and then we had the original text anew. It showed its superiority in sundry small but decisive ways, *e.g.*, more English surnames and better spelt, and the text enlarged by the admission of several short passages and phrases which had fallen out in the transcription.

The largest and no doubt the most interesting part of the process was the evidence of the witnesses. They were certainly excellent representatives of the English Catholics. Biographies of six of them will be found in *The Dictionary of National Biography*, and notes on five others will be found in Vol. II of *The Catholic Record Society*. They were called to give evidence on Elizabeth's suppression of the ancient Church, and of this all had personal experience and wide information. Those who are prone to accept Elizabeth's standards and authority will naturally make light of their depositions. But if information is really looked for, it must be accepted seriously here. Of course other witnesses could be mentioned on most of the points, but here all is delivered on oath, with force and solemnity by sundry consentient witnesses. Some, like Sir Richard Shelley, had the reputation of being distinctly friendly to the Protestant queen. Others were men known for the precision of

their theological or canonical studies, as Bishop Thomas Goldwell. Let me quote from one of the depositions.

Before condemning the queen, it had to be proved that she had the power to remove the dominant heretics, if she desired to do so. So *question* 16 was proposed as follows: "If the Queen herself desired, could she forbid the aforesaid preaching of heretics, and the said heresies, as her sister Queen Mary had once done?"

William Allot, who was chaplain to Lord Morley and to Sir William Wharton, *answered* thus: "I have not the least doubt, that if the Queen were not merely to command, but also to show that she desired people to live like Catholics, that it would be done immediately. For in England, whence I have come, those who desire the Catholic faith, and to live like Christians, are much more numerous than the others."

The *17th question* is: "If the Queen wished to do so, could she be forbidden by the Senate or Parliament, or by the Council?"

Answer. "There is no doubt that if the Queen wanted it, neither the Parliament nor the Council nor the Senate would refuse; for she is mistress, and is able to remove the Council and a great part of the Senate at her pleasure. And I know, too, that the greater part of the Parliament of those whom she cannot remove are Catholics, and would gladly live like Christians. For the majority of the nobility is inclined to live like Catholics, as I know by experience, having conversed with some of them, and I have seen them to be so inclined. Nay, more, I say that I was for a year in London dwelling in a house with certain nobles, by name [Lord Morley] and [Sir Thomas Wharton], and I saw and heard masses celebrated there according to Catholic rites and in Christian manner, and

I was there not once only, but ten or twelve times. For masses were said daily according to Christian rite; and I have also heard say about other gentlemen that they do the same, and especially about one called Marchant" [Merchante].

Our annalist Laderchi had the evidence of twelve witnesses before him; each was interrogated on seventeen different points, so there must have been many repetitions up and down. The papal sentence was perhaps copied in some rather difficult hand, or with unusual abbreviations—several words at all events show faults in transcription here. The sentence was pronounced by the Pope himself on the 12th of February, on the same day that the witnesses had finished. On the 25th the Bull was finally published. It is not identical with the sentence, though the same in effect.

Many modern canonists of good repute, such as Hergenröther, Gosselin and others have discussed with all due attention Pope Pius's Bull when treating of "the power of the Church in things temporal." The tendency of modern times is to class the papal power here exercised as *indirecta* (while others explain it as *directiva*), though the older school still called it *ordinaria*.[1] But the discussion is nowadays almost purely academic, and there are no clear decisive statements in the Bull itself which can decide the controversy just mentioned. There has been no subsequent exercise of the power of deposition, and the Bull of excommunication itself relies entirely on the basic proposition, that where a faithful people is engaged in defending itself against a tyrannical

[1] For a general idea of the whole subject may usefully be consulted the article *Pouvoir pontifical dans l'ordre temporel* in the *Dictionnaire Apologétique de la Foi Catholique* (Paris: Beauchesne), in progress and now concluding.

government, which is setting all law at defiance in its attack upon the Church, there in the last resort Catholics need not be shackled in their self-defence by respect for the government in question. After enumerating some of the many Tudor excesses, Pius continued: "All these things are notorious in all nations, so that there is no room for excuse, defence, or shuffling (*tergiversationis*), and we are compelled by necessity to use the arms of justice against her." And so the excommunication went forth. The Bull was not launched without much forethought, certainly, but as all agree, without that maturity of reflection which the case required. Pius himself subsequently shed tears of grief in consistory while speaking of the sufferings of the English Catholics, but he would not follow the advice of politicians to withdraw the well-deserved censure, while the offending queen mocked at the ineffectiveness of his words.

I have discussed the excommunication at some length in my work, *The English Catholics in the Reign of Queen Elizabeth*; of the points to be urged in attack or defence of it, suffice it here to mention one, which I set forth in a sentence from the above book (p. 156): "It is hard to see what else could have roused the Catholics from their fatal lethargy but a great thunderstroke like this Bull." The breach was definite, and the Catholic Revival may be said to date from it.

It is certainly no little advantage to us moderns to have now the actual Bull before our eyes, with every word of the text perfectly clear in a photographic reproduction. In past times even great authorities, both Catholics, like Laderchi and Lingard, as well as Protestants, even for instance our Record Office, had frequently gone completely astray even on matters like the date,

where exactness in reading is so necessary, and also so easy, when proper care is used. The fact is, that extraordinary confusion once prevailed as to what had taken place, and this was owing to the speed and secrecy with which both Pius and the insurgents acted. The rising itself had taken place, and had been entirely suppressed before the Pope heard of it and began to take corresponding measures. Then, when Pius began, he completed the long preparatory process, held the necessary consistory, and issued the Bull, without even the diplomatists in Rome or Italy, France or Spain knowing what had occurred. It was, therefore, by slow degrees only that Spain became aware of what had been done; and it was already July before the real criticism began on the Catholic side. Authentic copies of the Bull remained very rare, and the text appears to have been unknown to the news-writers of the day. It was not reprinted until the first edition of the Roman *Bullarium*, which was edited by Laertius Cherubini in 1586, sixteen years after the Bull.

The oft-cited papal chronicler Laderchi knew a good deal about all this, but seems to have imagined that he could best clear up the apparent tangle in the dates by interpreting the English writers as using the new style, whereas they of course were following old style. Other mistakes were made by those who should have known better, imagining that Bulls were dated according to new style when that was introduced into Italy, whereas for Bulls the old style is prevalent even to this day. The date of the Bull is *Quinto Kalendas Martii*, the 25th of February, whatever the consequences that follow.

Another consequence from the certainty of the text is the certainty that the Bull in no way warranted any

plot for the murder of the Queen. When Gilbert Gifford, Walsingham's *agent provocateur*, persuaded Babington that the excommunication made this permissible, he was trading on Babington's simplicity, and on the great difficulty of finding a copy of the Bull before it was reprinted.

A further consequence is that the Bull did not even warrant the organizing of a rebellion against the queen. There is no doubt that Pius wished for insurrection, but he thought that it had already taken place. He ordains, therefore, that further obedience should not be paid by subjects.

A correction which follows, not indeed from the text, but still from the context and the history of the Bull, is that Spain had nothing to do with the Bull, in fact was strongly against its issue.

Even this brief account of the excommunication has brought us down to the second half of 1570, and Pius had now only eighteen months more of life. I bethink myself, therefore, of some fitting episode to illustrate the closing months of the pontificate, and pass naturally from the crisis of Reformation and Counter-reform in the West to an eastward crisis of better omen in the defence of Christendom against the Turk. The so-called vision of victory at the battle of Lepanto, then, should serve our purpose, though I should apologize perhaps for the slightly over-critical tone of some of our modern commentators on the final triumph of the great pope. Yet so it is, that whereas panegyrists have at least been emphatic in emphasizing the miraculous in their lives of this pious and ascetic Pontiff, we moderates may take our stand with the learned von Pastor, who in his life of Pope Pius proposes this query:

Is it not time that we ended the plaits-down-the-back period of hagiography? Pious poems are no longer needed. Lives of the saints stand the daylight of historical criticism well enough. Indeed they rather profit thereby.

We have all heard the story, which finds place in Cardinal Newman's *Historical Essays* (Vol. I, p. 155). The treasurer Busotti was closeted with the Pope discussing the naval battle at Lepanto which every one knew must be imminent, when suddenly the Pope lapsed into silence, went to the window, and opening the large shutters, was lost in thought as he gazed out into the void. Then, recovering himself, he turned to the secretary and said: "It is not the time for doing business now. Let us return thanks to God. Our Armada has even now defeated the Turkish fleet."

This story is found both in Catena and Gabuzzi, the earliest biographers, whose works were begun shortly after the Pope's death, and have been welcomed by public acclaim ever since. But a representative of the modern school of criticism raises doubt. Herr Herré, after a study of contemporary correspondence, has declared that it gives "no support whatever" to the alleged miracle. Upon this, von Pastor (p. 610) brings his minute and extensive acquaintance with contemporary correspondence to bear on the point, and finds no less than four contemporary witnesses who record at the time the wonderful event, which is also otherwise known through Catena and Gabuzzi. Contemporary evidence, at all events, is here on the side of the Saints.

We are near the end now. On the 21st of April, 1572, Pius undertook once more on foot the pilgrimage to *San Paolo fuori le mura*, and with indomitable resolution

completed the long procession. As he passed the Scala Santa his love of England burst forth once more into notice. He passed by chance a body of English exiles, and whilst he gave them his blessing, raising his eyes to heaven, he cried aloud, "My God, Thou knowest how gladly I would give my very heart's blood for the salvation of this nation."

After he had got home, serious symptoms began to show themselves. He did not easily rally from the fatigue, and before the 26th a series of fainting fits supervened. It became clear that the end was not far off, and on the first of May the great Pontiff died as he had lived, never for a moment relaxing the flow of piety and prayer, never, while life remained, remitting his care of the interest of the Church, nor ever uttering a word that did not breathe hope and confidence in the victory of the cause of God.

VIII.

THE APPLICATION OF ROMAN CANON LAW IN MEDIÆVAL ENGLAND.

By the Rev. Benedict Allen, O.P., S.T.L., B.Litt.

(1) The General Position.

It is, indeed, most appropriate that a paper on the subject of mediæval Anglo-Papal legal relations should be read in the town of Cambridge before an assembly of English Catholics. For it was a Professor of this University, Mr. F. W. Maitland, who first proved so clearly and convincingly that the law which regulated the legal activities of the Church in England from the Conquest until the Reformation was the same law which obtained in the other parts of Christendom during the Middle Ages—the Roman Canon Law, or, as it was more commonly designated, the *Jus Commune* of the Church. Professor Maitland based his conclusions on a study of mediæval authorities—the recorded words and actions of English Churchmen during that period, and, above all, on the peculiar position held by the Roman Pontiff in all mediæval ecclesiastical affairs, a position which was so firm and of such importance as to give to his legislation the binding force of law in those matters over which he had a recognized jurisdiction. We acknowledge most humbly our indebtedness to Professor Maitland, and base the remarks about to be offered for consideration upon the results of his studies, with some added points from other sources, which, owing to pressure of work and finally to his untimely death, he was unable to

go into himself. We feel sure that had he been spared to continue his researches in this most interesting subject, he would have given us a masterly solution of its difficulties—a guide for the complete understanding of the question.

As we are to consider the application of Roman Canon Law in mediæval England, it is well to begin with a definition or description of our subject-matter. The Roman Canon Law of the Middle Ages in its broadest sense, and as commonly understood to-day, may be considered as the sum of those rules and regulations formulated by ecclesiastical authority, whether by statutes of councils or decrees of popes, the object of which was to govern the relations of the Church with the secular power and to regulate the lives of her members, embodied in the *Corpus Juris Canonici*, and administered in the ecclesiastical courts of those countries which were under the spiritual jurisdiction of the Papacy during the Middle Ages. It is called *Roman* Canon Law chiefly because it was the law observed by that Church which had its central authority in Rome, and not because it was limited in its operations by the boundaries of that particular see. Since we are now speaking of Canon Law, we must be most careful to distinguish the exact limits, especially as to time, which this term embraces. In the early Church various collections of conciliar canons were in use. These we consider not as canon, but as ecclesiastical law, since there is little evidence to prove that they were ever made use of in ecclesiastical courts or incorporated as such in the *Corpus*, two requisite qualities contained in the above definition. Even the famous collection of canons compiled by Gratian about 1150, and known as the *Decretum*, lacked

the official sanction and authorization of the popes, without which it could not be used by judges or lawyers in the ecclesiastical law courts. It was merely a text-book, the fruit of scholarly labours to be used by professors in the classroom. In 1210, however, Pope Innocent III sent a collection of his decretals to the University of Bologna, with the command that they were to be used, not only as sources of technical information, but also as norms by which court decisions were to be rendered; in other words, they were to be considered as law. This is the first instance we have of an official code of laws issued as such by any pope. Thus we note that the term Canon Law can, in strict justice, be applied only to the decrees issued by the popes during the latter half of the Middle Ages—from the early thirteenth century onwards, contained in the *Corpus Juris Canonici*, and intended for application in the ecclesiastical courts. The successors of Innocent III followed his example, and numerous decretals were issued from time to time. These were collected and edited with commentaries by the leading canonists of those days, and thus by degrees the *Corpus Juris Canonici* took shape. This became the official code of canon law for western Europe during the Middle Ages, and was composed of six books, namely, the *Decretum* of Gratian (about 1150), the Decretals of Gregory IX (1234), the Sext of Boniface VIII (1298), the Clementines of Clement V (1313), the *Extravagantes* of John XXII (about 1316), and the *Extravagantes Communes*, which contained laws made by succeeding popes. The *Decretum* was included, but the five books of decretals formed the really authoritative part of this collection.

When was the Canon Law of Rome introduced into

England? Doubtless the first missionaries who visited these shores brought with them, together with the Holy Scriptures and various liturgical books, some collections of early Church canons, which, supplemented by private compilations of penitentials, the religious laws of the Anglo-Saxon kings acting in concert with the bishops, and the resolutions or rules adopted by local synods, formed the nucleus of ecclesiastical government and legislation in the early days of English ecclesiastical history. As time passed on, the adoption of additional rules and forms of procedure in ecclesiastical affairs resulted quite naturally from a more intimate intercourse with the continent, from contact with the clergy of France and neighbouring countries, as well as the repeated visits made by English priests and prelates to Rome. The *Decretum* of Gratian found its way to this country in due course of time after its initial publication, but, as we have already observed, this work, although it marked the temporary high-water mark of perfection in canonistic study, strictly speaking, cannot be referred to as canon law, since it lacked the approbation and confirmation of the supreme Head of the Church. The exact date of the introduction of canon law into England must therefore be placed soon after 1234, the year in which Pope Gregory IX promulgated his own decretals, together with those of Innocent III, which latter had been previously edited in 1210, and were the first authoritative collection of ecclesiastical laws to be binding on the whole Church.

The laws contained in the *Corpus Juris Canonici* were accepted and obeyed in England, not because they were "received" by the local ecclesiastical authorities or were "imposed" on the country by force, but simply because

the position of the supreme religious law-maker of Christendom was recognized by all as being sufficient to give his legislation absolute binding power. There is no available evidence to prove that these laws were ever "received" at any time during the period prior to the Reformation by the formal action of any provincial council. Nor is there any evidence from which we may conclude that this reception was considered as a necessary preliminary, or that the Roman Canon Law must have obtained the official sanction of that body as a *conditio sine qua non* to its introduction into England and its statutory force. The absence of any such formalities leads us to conclude that the Church in England recognized its entire dependence upon the Mother Church and obeyed the laws of the latter as a matter of course, without deeming any other course of action possible.

Before going further, it would be well to consider the opinion of some writers who hold that the authoritative canon law of mediæval England was composed for the greater part of the legatine constitutions of the Cardinals Otho and Othobon, the former issued in 1236 and the latter in 1268, together with the constitutions of the Archbishops of Canterbury from the time of Stephen Langton, who died in 1228, until the final separation of the Church in England from its lawful obedience to Rome by the Act of Supremacy passed in 1533–34, during the reign of Henry VIII. Now when we come to consider these constitutions as they have been collected and annotated by the two leading English canonists of those times, John of Athon (died 1350) and William Lyndwood (died 1446), we are at once struck by their incompleteness. Few in number, and for the greater part couched in most general terms, they do not

impress one as being sufficient to regulate the activities of a Church which was spread throughout the whole nation, nor to comprehend those details of organization and management which are so essential to the welfare of any active society. Arranged by Lyndwood in his *Provinciale*, according to the plan of the decretals of Gregory IX, their meagreness is the more strikingly betrayed. As Maitland so pointedly remarks: "Lyndwood will try to make as many titles as possible. But, do all he can, he can make only 75, while Gregory has 185. In other words, the commentator finds that nothing has been said by English legislators touching more than half of the recognized topics of ecclesiastical jurisprudence." We look for special laws concerning the erection of new dioceses; the collation of benefices; the transfer of bishops, their resignation and deposition. We find almost nothing, although elsewhere we have evidence that such events did frequently occur in England, and were often the occasion of much judicial litigation, which had to be regulated by some set of laws and mode of procedure. We are told little or nothing regarding the forms and procedure which were to obtain in the courts Christian; a modicum of legislation is offered dealing with matrimony, a subject which at all times has been a thorny problem for the ecclesiastical jurist, necessitating the application of many rules and propositions which are not contained within the scope of these constitutions. Nothing is said regarding the times and laws of fasting. Particular rules regulating the administration of the Sacraments are often lacking, and the question of dispensations is treated in a manner which leaves no doubt that the jurisdiction of the local church law, in this matter at least, was very limited, and

that recourse must be had in many cases to some other and more complete code, and finally to the supreme dispensing power of the Pope. These and many other omissions, as well as the extremely large number of answers to questions concerning ecclesiastical affairs, some of great importance, given by the popes to English prelates and contained in the decretals, make it extremely difficult to believe that these provincial constitutions could have possessed an authority which would be denied to the more complete and efficient Canon Law of Rome as outlined in the *Corpus Juris Canonici*, or could have prevailed against the latter in courts where, no matter how patriotic the litigants or judges might actually have been, it was a case of pleading a suit and rendering a decision which could withstand with some hope of success the assaults of counter-claims and appeals.

These appeals could be made at any time, even while the suit was being heard before the highest ecclesiastical courts of the province. Furthermore, should a litigant so desire, he could carry his cause directly to the papal tribunal and ignore the local courts entirely. In such instances the Pope would either appoint judges in Rome who were to try the case, or delegate powers to prelates in England, commissioning them to take the testimony and forward it to Rome, or simply designating rules and modes of procedure according to which the issue was to be decided in the local courts. At times there was seemingly little respect paid to persons when such appeals were sent to Rome, and we find instances where a suffragan bishop or even an inferior clergyman was delegated by the Pope to act as judge in cases where the Archbishop of Canterbury, the Primate, was a party to the suit. The papal court, however, was not merely

a court of last appeal, but on many occasions took the initiative and acted, *motu proprio*, to settle matters which were beyond the powers of the local authorities, or even within the limits of their proper jurisdiction. One finds such expressions as: "It has come to our ears . . ."; "We have been made aware that . . .," and others of similar import, with which the popes often began letters to different English prelates regarding matters of no greater moment than the treatment of lepers, the marriage of a seven-year-old girl, the care of the poor, complaints of the clergy, and various other matters, moral, doctrinal or disciplinary. Thus we note that in 668 the primacy of the archbishopric of Canterbury was determined by Pope Vitalian in a letter to Archbishop Theodore, and Bishop Wilfred was restored to his see through the action of Pope Agatho in 679. In later days these papal actions are more frequent, as is evident from even a hasty perusal of the decretals, of which a surprisingly large number are addressed to occupants of English sees.

Before we come to make a special review of the relations between Roman Canon Law and the English courts, both civil and ecclesiastical, notice must be taken of custom, by which the application of the Canon Law of Rome in England was modified to a great extent. Custom, or *consuetudo*, is a kind of right instituted by usage which is accepted for law when the law is wanting. It is not the mere repetition of the act, but rather its institution, which renders a custom valid. If the law is wanting, then recourse may be had to common usage; but, on the contrary, custom is not to be invoked if the law commands otherwise. Custom may be considered as a fact and as a law. As a fact, it is simply the frequent

and free repetition of acts concerning the same thing; as a law, it is the result and consequence of that fact. A custom may be general, *i.e.*, one which is approved by the consent of all, as, for example, of the whole Church, and then has the status of a law obliging all; or it may be special or particular, in which case it has the binding force of law only on those of a certain territory or province to whom it especially refers.

The idea of custom in mediæval jurisprudence was fundamental, and must be noted, because it indicates what was to all appearances a conflict of laws, a conflict between the written law approved and promulgated by the legislative body as its own on the one side, and on the other a mass of unwritten or traditional usages which had to be taken into consideration by legislators, and at least tacitly approved by them. The old Roman law, especially in the royal and early republican periods, was based to a very great extent upon such usages, but in the *Corpus Juris Civilis* of Justinian we find no clear or detailed definition of the necessity or effect of the law of custom. The *Corpus Juris Canonici*, however, recognized *consuetudines*, and in its pages are to be found detailed and explicit legislation regarding them. In the *Decretum* of Gratian the derogatory power of custom, when considered in connection with positive law, is denied; but the Decretals, on the contrary, acknowledge this power, subject, however, to certain restrictions and qualifications. Thus, for example, the *Decretum* recognizes custom and sanctions its observance as long as it does not go beyond the dictates of reason or of the written law, while the Decretals grant to custom power even against the written law, provided that it be *rationabilis et legitime sit præscripta* (reasonable and

legitimately established). Many very special customs and privileges which were granted by papal indult from time to time when particular exigencies may have demanded such an action, modified to a great extent even the prescriptions of the written law, so that usage, with the knowledge and consent of the supreme legislator, could in some instances prevail against his own law, unless these customs were specifically abrogated in the new legislation.

The commentaries of Athon and Lyndwood offer some very interesting data on the practical relations which existed between English provincial customs and the Roman Canon Law. The former tells us that certain canons to which he had made reference are not abrogated by a contrary custom, since the custom cannot prevail against natural law, and that a certain privilege which had been long enjoyed was *odiosum* (odious), and should be revoked, because it was not in accord with the *Jus Commune*. A statute can abrogate a custom which is apt to lead to abuses, and in like manner a reasonable custom can take the place of a statute which is unreasonable. Although custom enjoys great authority, still it can never nullify a law by use of the clause *non obstante lege* (the law notwithstanding). Lyndwood calls attention repeatedly to the need of prescription to render a custom valid, without which it could not prevail against the law. Both give many examples of usages which at first glance seem to run counter to Roman Canon Law, but they point out at the same time that such are allowed, either by the express permission and approval of the decretals as special privileges, or as being consonant with the general teaching of the *Jus Commune* of the Church concerning the use and authority of customs.

We will now consider the general relations between Roman Canon Law and the English civil courts during the Middle Ages. It can readily be understood that the degree of attention paid to canon law by these courts must, on principle, have differed widely from that accorded to it by the courts Christian. The Crown has ever been jealous of its power and prerogatives, and views with a suspicious eye the claims or encroachment of any other body which might diminish this power or lessen the importance of its inherent rights. During the Anglo-Saxon period there was little, if any, friction between the two. William the Conqueror, however, by his charter which separated the ecclesiastical from the civil jurisdiction and gave to the former an identity of its own, unwittingly sowed the seeds of future disagreements. By the terms of this charter, the bishop was to have sole cognizance over spiritual cases; was to formulate his judgments according to the prescriptions of the canons, and could call upon the secular power for aid in enforcing his sentences should such a need arise. Under the influence of such freedom the Church by degrees laid claim to a jurisdiction so vast and ill-defined that, as a consequence, collisions with the temporal courts were inevitable. Such titles as ecclesiastical property, temporalities, advowsons, tithes, debt and theft, dower and succession to property, were often claimed by both civil and clerical lawyers as their rightful heritage, and gave occasion for much and protracted litigation, during which a case would often be brought to trial in both courts. Whether we consider the struggle which ensued as between Church and State in general, or simply as between the two judicatures, we cannot help but notice the gradual movement from

the side of the temporal power to limit the claims of the Church when the latter overstepped the bounds of what was generally conceded as belonging to the spiritual, and entered the domain of what was purely secular. There was an almost continual misunderstanding regarding *spiritualia* and *temporalia*, and we must also remember that the tendency to encroachment was not limited to the Church alone, but the State itself did at times interfere in what the Church thought to be her own proper sphere of operation, which action brought earnest protests from the clergy against the invasion of their rights and the subversion of ecclesiastical liberties. Furthermore, it seems that in all these clashes between the temporal and the spiritual jurisdictions, there was no desire or direct attempt on the part of the State to prohibit or hinder the exercise of ecclesiastical jurisdiction along those lines within which the State thought the Church should restrain her activities; royal statutes or civil court actions did not make any pretences at legislating for the Church concerning moral or doctrinal matters, nor was any separation from union with the Church or a severance of the acknowledged spiritual allegiance contemplated. Such an idea was indeed foreign to the strict mediæval manner of viewing the situation, although the words of disapproval occasionally voiced by clergy and nation against the action of the popes in introducing foreigners into English benefices, or against the excessive taxation which they at times levied, might seem to give colour to the contrary supposition. But there was an effort made by the State, slight at first, but increasing in momentum as time passed on, to free itself from all ecclesiastical control which was not absolutely and

strictly confined to the care of souls. The traces of this effort are to be found in the Statutes of Advowsons, *Præmunire*, Appropriations, Presentation and the like, by which the kings and parliaments strove to uphold the royal prerogatives which were considered as inherent rights of the Crown, and also in the records of the civil courts when cases concerning these controverted questions came before them to be adjudicated.

An examination of these records brings to light much that is interesting. Thus, for example, we read in one case that a lay judge tacitly admits that he has no jurisdiction over tithes, by refusing to consider them in a suit brought before him. In another instance, the claim of the Church to jurisdiction over testamentary suits is allowed, under condition however that the dead man died intestate, in which case the bishop could appoint an executor. We have evidence to show that the civil courts acknowledged the right of the Church to decide questions of marriage and illegitimacy. These cases were reserved for the decision of the particular bishop in whose diocese the marriage was said to have been solemnized; he administered the canon law, and his findings were accepted by the lay tribunals. In a particular case where dower resulting from betrothal was in question, the judge gave as his decision: "According to ancient law and the use of learned men of old, cognizance of such cases as this belongeth to court Christian," and he saw no reason why a change should be made from this custom. The claim of the Church to protect all who took refuge on ecclesiastical property, the right of sanctuary as it was then known, is upheld by the civil courts in several instances. In one particular case it is commanded by the judge, that a woman

who had been taken from sanctuary and brought before the civil court to answer for theft, should be taken back to the Church and that the whole matter should be dealt with as in times past. A sentence of excommunication pronounced against a man could prevent his cause being heard even in the civil courts, and cases can be adduced where this fact was taken into consideration in order to debar a man from pleading his cause in these courts.

However, we must not imagine that the relations between the two jurisdictions were always so cordial, or that the civil courts refrained from taking under their control matters which had primarily and from their very nature belonged to the care of the ecclesiastical courts. In this connection we find the secular tribunals dealing with advowsons and the trial of clerics for grave offences, much against the will of the Church, who found herself too weak to combat against the State to uphold what she had always considered as her own rights. In one case, regarding a right of presentation to a vacant benefice, we have a clear example of interference by the secular court in a matter over which it had no jurisdiction. This is evident from the judge's own words. In the course of his summing up he says: "We shall not inquire whether the church was vacant rightfully or not, for our law does not permit us." However, he appointed a jury to try the case, and would not permit it to go to the bishop's court. Appended to the report we find this comment: "And the averment stood. And it was a strange thing that they did not send to the Bishop, because either cause of the vacancy herein alleged, to wit, resignation or deprivation, cometh within ecclesiastical jurisdiction."

The statutes of *Præmunire*, to which a passing reference has already been made, have often been looked upon as the most anti-papal Acts of Parliament passed prior to the reign of Henry VIII, and also as the "great bulwarks of the independence of the National Church." We shall now briefly consider these statutes and try to determine the truth or falsity of this characterization. Since these statutes were so intimately concerned with the practice of papal provision to vacant benefices, it were well that we clearly understood the origin and extent of that practice. Strictly considered, a benefice is a right given permanently by the Church to a cleric to receive ecclesiastical revenues on account of the performance of some spiritual service. In a broader sense it is often understood to denote either certain property destined for the support of ministers of religion, or a spiritual office or function. In following this right of benefice to its origin we note that it was one of the privileges granted by feudal law to the landowners who built and endowed churches, and was based on the old custom of the *Eigenkirchenwesen* which had existed amongst the early Germanic tribes. This was the right to all the possessions of an altar or shrine which had been erected by an individual. It was his own, and he had full seignorial rights over this property, just as the lord of the manor had over his lands and chattels. The owner could then make benefactions to the servants of these shrines as he saw fit. Upon the conversion of these tribes to Christianity they retained their seigniority over religious foundations. Efforts were made to secure from the possessor the revenues of these foundations in favour of the bishop, as also his hitherto uncontested right of designating the incumbent of his churches,

chapels and other benefices; but the collation remained in the hands of the owner, who after episcopal consent and approval could instal his candidate. The process of taking over this right by the hierarchy was gradual. The necessity of obtaining the approval and consent of the bishop was the first step. This was furthered by legislation; and when finally the former holders of this right had become vassals of the lords spiritual, the latter then began to confer, of their own right, upon whomsoever they chose, the minor benefices which were under their care. In the course of time, however, the Popes began to exercise a right which they possessed by virtue of their primacy of jurisdiction—the right of reservation and of conferring a vacant office or minor benefice upon their own nominee to the exclusion of all ordinary patrons. By the fourteenth century the collation to all benefices, major as well as minor, had fallen by degrees under the special patronage of the Popes, to be given by them to their own candidates. This was effected by means of letters to the chapter about to fill a vacant benefice, forbidding them to proceed to the election, and also to the bishops or metropolitans, forbidding them to confirm the one chosen, should the election be held in spite of the previous prohibition. Definite laws were also drawn up, according to which the collation and reservation of benefices were to be regulated, and under Urban V (1362–1370) the process of taking over this right of presentation to vacant benefices by the Papacy was completed.

We shall now consider the manner in which these decretals and the papal actions based upon them were received by the kings and parliaments of mediæval England. The first official protest against these reser-

vations and provisions, which had greatly increased in number and frequency, was made in 1306–7 at Carlisle in the 35th year of Edward I. The chief grievance was that benefices had been given to aliens, and the civil law was brought up to show that the Pope had no right to bestow the benefices in question. No punishments were set down in this decree against those who should accept these provisions, nor were any means indicated by which they might be prevented or stopped. Further statutes of *Præmunire* were passed in 1350–51, 1363, 1389–90 and 1393. This last statute has been the subject of much discussion, and various interpretations have been placed upon its several clauses, two of which were mentioned above. It seems quite plain, however, that the sole grievances against which this statute was directed were papal actions against churchmen for executing certain royal mandates, and the translation of prelates without their assent or that of the king. It has been said that this statute was disregarded by Pope and King alike for many years, and therefore was of but little importance. However, it must be borne in mind that it was passed at a time when the power of the Papacy was at a very low ebb, The Great Schism of the West (1378–1417). during which Christendom was divided in its spiritual allegiance between two and sometimes three claimants to the Papacy, weakened considerably the prestige of the papal power. The occupants of the throne at Avignon, as well as at Rome, were none too sure of their position, and the fact that in England as elsewhere many among the faithful were known to waver in their allegiance to either one or the other, and even to change sides altogether as policy dictated, was not conducive to the utterance of any authoritative

remonstrances against secular legislation, no matter how important it might have been. Therefore, if during these years we find no action taken against this statute by the popes, it must not be concluded that they did not consider it of importance. The vehement protests of Martin V (1417–1431) immediately after the consolidation of the Papacy once more at Rome, show conclusively that the statutes passed by English parliaments during preceding years were looked upon as dangerous and were to be suppressed. Although this Pontiff did not specify the statute of 1393 in his protests, yet we are led to believe that it was the one uppermost in his mind, for the repeal of which he was prepared to use all his power. It contained clauses which on the surface appear quite innocent and devoid of danger, but if pushed to their logical consequences touched two prerogatives of the Pope which could never be relinquished —the right of excommunication and of the translation of bishops. In the hands of an unscrupulous monarch they could be carried to extremes which might subvert the ecclesiastical power altogether. Whether the framers of this statute realized the extent to which it could possibly be used or not is another question—it was dangerous theoretically, and therefore could not be allowed to remain in force without calling forth protests from Rome.

There was another influence at work during these years which tended to restrict the application of this statute in the secular courts, and to cause the English kings to hesitate before putting it into strict operation. This was the Lollard movement, which by the year 1380 had become a powerful political as well as religious force in the kingdom. A triangular condition of affairs

was thus created which hampered the king's actions. The denunciations of the Lollards against the hierarchy and clergy would perhaps influence him to act against the latter somewhat severely, but at the same time he could hardly afford to alienate the spiritual forces at hand, and especially those at Rome, which were so necessary to counterbalance the rebellious sentiments of a large part of the citizens, by insisting upon the enforcement of a decree which might at any time be interpreted as hindering the free exercise of inalienable spiritual rights and prerogatives. These facts, we think, will explain to a great extent the seeming desuetude into which this statute had fallen.

In studying the several statutes to which we have already referred, some outstanding features arrest our attention. It is particularly noticeable that most of the complaints in parliament against papal provisors came from the Commons. This is readily understood when we remember the feudal privilege, based on a custom of the old Germanic tribes, by which all rights pertaining to possession belonged to the owners or patrons of these benefices. They would quite naturally make efforts by means of legislation to recover what had been lost. We notice also that special affront was taken from the fact that a large number of aliens were in possession of English holdings, and that much was made of the economic consequences of such collations, such as the loss of "goods without number," and "a great Part of the Treasure of the said Realm" being carried away. It was forcibly asserted that the said advowsons, whether in lay or ecclesiastical patronage, were secular affairs, and belonged in many instances to the king himself. The Church, on the other hand, always maintained that

these collations were purely spiritual, and upheld her right to administer them. This was done by papal provisions and suits held in the courts Christian, which led the State to oppose these actions by counter-legislation.

We must not place these statutes on the same level, as there is a definite perspective between them—a progression which reaches its culminating point in that of 1393. The Act of Carlisle is but a general prohibition of provisors, without any means being indicated by which they might be prevented. That of 1351 goes further and introduces strict executive clauses—the benefices are to be seized by the king himself if papal provisions continue. These are added to in 1363 and 1389–90. The statute of 1393 claims that the actions of the Pope of which complaint was made were an attack on the Crown, and fear is expressed that the country would come completely under the power of the Papacy. It was couched in terms which might, if occasion offered, be used by the royal power to restrain the exercise of papal rights which were purely ecclesiastical. But the spirit of that age leads us to believe it most unlikely that any such intention was in the minds of the framers of this law. It is true that the temper of the legislators was somewhat changed owing to the schism, and that people generally were not so submissive to spiritual rule as they had been formerly. But we cannot consider this nor the other statutes as rampantly anti-papal. They make no pretence at legislating in matters of faith or morals, nor do they embody any principles of independence which could imply that an attempt was being made to overthrow a spiritual allegiance which was so widely acknowledged. Their sole aim and object was

to guard for the Crown that which was looked upon by king and parliament alike as being the prerogative of the head of the State—the right to present to vacant benefices, especially to those which were of his own patronage, and—what is perhaps of equal importance—to preserve for the royal courts the right to try all cases in which advowsons were concerned. Two of these decrees contain clauses which go far to corroborate this. If the object of the mediæval English kings and parliaments was to exclude from this country all exercise of papal jurisdiction, regarding spiritual as well as temporal affairs, why did Richard II in 1378, when recognizing Urban VI as the lawful Pope, decree that if any of his subjects should "purchase Provision, Benefice, or other Grace" from any rival claimant to the Papacy, he should forfeit his goods to the king? Or how are we then to account for the fact that in 1405 the sum of money to be paid to obtain papal provisions was regulated by royal statute, and was not to exceed that which it had been customary to pay in past years? These facts, as also the concessions granted in 1398 by Richard II "for the honour of God and the holy Roman Church, and because of the great affection which we have for the present supreme Pontiff," who was Boniface IX, lead us to conclude that the kings were guided more by the policy of the passing moment, influenced to a great extent by the actions of contemporary Popes, than by any set and determined mode of procedure which had crystallized into what might be termed a hard and fast anti-papal programme.

We now arrive at a very important question to be considered, namely: What was the status of this Roman Canon Law in the ecclesiastical courts of England

during the Middle Ages? In early Saxon days, and before the advent of the *Corpus Juris Canonici*, the ecclesiastical courts were quite simple affairs, closely connected with the secular courts, with a recognized though not well-defined jurisdiction of their own regarding sacred persons and sacred things. They were under the direction of the local bishops, convened contemporaneously with the county courts, and the proceedings in each were perhaps quite similar. After the Conquest, however, as has already been noted, the courts Christian were separated from the secular jurisdiction, and it was strictly forbidden that any spiritual cause should thenceforth come before lay judges. The bishop alone was to pronounce upon them; his decisions were to be given in accordance with the prescriptions of the Canons, and the secular power was to hold itself ready to enforce the episcopal sentences should such a course of action be at any time necessary. The introduction of the *Corpus Juris Canonici* and a more intimate intercourse with the continent brought about the gradual adoption of new forms of court procedure, and young English canonists were sent to the great continental law schools, particularly Bologna, where, under the guidance of the master jurists of the day, they would be able to perfect themselves in their chosen profession, and could also keep themselves posted regarding new developments of, or additions to, the existing code of laws.

The principal ecclesiastical courts of mediæval England were provincial, diocesan and archidiaconal, according as they were under the direct jurisdiction of the archbishop, a bishop, or an archdeacon. The two last mentioned were concerned chiefly with the local affairs of any particular diocese, while the first

had jurisdiction over a whole province, and that of the Primate at Canterbury was the most important in England. The chief court of the Archbishop of Canterbury was that of the Arches, which had its own staff of officers, was the court of appeal from all the diocesan courts of the province, and the one which came in closest contact with the papal court at Rome.

When we come to consider the jurisdiction of the courts Christian, we are brought face to face with one of the most baffling problems in the history of the Middle Ages, one which was at the root of most of the disagreements between Church and State during that period. The mediæval Church demanded full control over all things spiritual, *omnia spiritualia*, and it is in the definition of this term, as also the setting of the bounds by which it is to be circumscribed, that the chief difficulty lies. What was considered spiritual and what temporal in the minds of mediæval jurists? Should we attempt to draw any hard and fast line of demarcation between the two, a line which under all circumstances would effectively separate the one from the other, we would soon find ourselves hopelessly at sea. Some things, it is true, were definitely conceded as belonging to the spiritual jurisdiction of their very nature, as for instance the administration of the Sacraments and the care of the altar, whilst others just as definitely were regarded as coming under the domain of the lay courts, such as the regulation of business enterprises. But there was a large area of debatable ground wherein the claims of each overlapped. That which under one aspect was spiritual, from another point of view was looked upon as temporal, and the efforts of jurists to straighten out affairs thus entangled often resulted in collisions between the two

powers. We noted several of those titles over which both claimed jurisdiction when speaking of the relations between Roman Canon Law and the lay courts. *Spiritualia*, considered in the strictest sense of the word, are all those things which subserve the spirit and are instituted for the good of the soul, as for instance the Sacraments of the Church. These, in the beginning, were the boundaries within which ecclesiastical jurisdiction was enclosed. In the course of time, however, they were greatly enlarged, so that ultimately, "Ecclesiastical jurisdiction in its widest sense covered all the grounds of ecclesiastical relations, persons, properties, rights and remedies; churches, their patronage, furniture, ritual, and revenues; clergymen in all their relations, faith and practice, dress and behaviour, in church and out; the morality of the laity, their religious behaviour, their marriages, legitimacy, wills and administrations of intestates; the maintenance of the doctrines of the faith by laity and clergy alike, and the examination into all contracts in which faith was pledged or alleged to be pledged, the keeping of oaths, promises, and fiduciary undertakings. To such a wide subject matter was the rule theoretically extended that no matter touching the government of souls should be tried by a secular tribunal," but was to fall under the jurisdiction of the ecclesiastical courts alone (*Report of the Ecclesiastical Courts Commission*, 1883, Vol. I, p. xxii).

(2) The Mediæval Evidence.

Regarding the application of Roman Canon Law in the courts Christian, we wish that it were here possible to offer a study of direct evidence bearing on this point—a study of the records of the courts Christian, and

particularly of the Court of Arches, which would enable us definitely and with slight fear of contradiction to state whether the Canon Law of Rome was or was not absolutely binding on the Church courts of mediæval England. Until we can quote from cases or cite judicial pronouncements handed down in these courts by those whose duty it was to interpret and apply the law, the question cannot be solved one way or another to our complete satisfaction. We have the Year-Books of different monarchs from a comparatively early date, carefully edited and annotated, which give us direct information concerning the secular courts and their procedure, the records of cases tried and of judgments rendered; but for the courts Christian we are not so fortunate. Few of these records have been edited, the greater part being still in manuscript, widely scattered and difficult to reach, and for the Court of Arches, the principal ecclesiastical tribunal of mediæval England, we have no records which antedate the year 1660. Direct evidence failing us, therefore, we propose to approach our subject from another angle, and shall consider evidence to be gleaned from the words and actions of some men who lived during the period we are treating, and played an active part in civil as well as ecclesiastical affairs. The testimony which they offer is of the highest value, and will go far in enabling us to form a correct judgment regarding the matter under consideration.

Let us take first the works of the two most prominent mediæval English canonists, William Lyndwood and John of Athon. Lyndwood in his *Provinciale* states that a constitution of a bishop does not bind any one until it is brought to that person's attention, unless his ignorance in the matter be culpable. On the other hand, however,

the constitutions of the *princeps* or supreme power are *ipso facto* binding on all, two months after their publication. A general constitution intended for the whole Church, two months after its publication, binds even those ignorant of the decree, implying, it would seem, that it is their business to acquaint themselves with the new legislation as soon as possible. The mediæval conception of Church and State is well known. They were to work hand in hand, each in its own field of operation—the one to guard the safety of man's soul, the other that of his body and his temporal goods. The Church in her constitutional formation had a great resemblance to a State, fashioned her laws after the model of the *Corpus Juris Civilis* of Justinian, and even borrowed much from that instrument. The Pope was the *princeps* of the spiritual kingdom of God on earth, just as the emperor was the supreme temporal ruler of the faithful, and so it is not at all surprising to find the canonists applying to the former rights and prerogatives which the civil code assigned to the secular power. It is quite natural, therefore, that the authority referred to by Lyndwood for the binding force of the papal law two months after its publication should be found in the *Corpus* of Justinian. John of Athon also calls our attention to this same point with equal insistence.

When Lyndwood comes to compare the provincial constitutions with papal law, the supremacy of the latter is made more apparent. Thus he tells us that archbishops and bishops can make laws for their provinces or dioceses, provided that the *ius commune* of the Church is not thereby violated. Therefore, the provincial constitutions, as we read them under the careful guidance of Lyndwood's glosses, appear to be, not an independent

and supremely authoritative code of laws, but for the most part a confirmation, or rather reiteration, of papal decrees or of the constitutions issued by the two papal legates, Otho and Othobon, adding to these new penalties, or augmenting those already existing, all in strict conformity with, and according to the rules laid down by the Canon Law of Rome. Athon, in his commentary on the legatine decrees, refrains from quoting the archiepiscopal constitutions as authorities because, as he says, they are not universal, nor are they uniform in the different parts of the country. Lyndwood always takes the greatest care that no one may think the home brand of canon law to be superior to that of Rome, or that the effect of the papal law might be in any way lessened by the existence of such constitutions. Thus in his gloss on a certain constitution of Archbishop Peckham concerning the renovation of the chrism each year, he tells us that the canons bind all, and should be observed by all; they who violate a canon which is in force and not superseded by a laudable custom, are to be punished. To his mind it is heresy to say that Rome has not the power to formulate canons or decrees which are binding on all, such a thought or action is the gravest of all mortal sins—it is idolatry. And he who out of contempt refuses to obey those things which are commanded by the Church, or despises and belittles the decretals, is also to be branded with the stigma of heresy. Furthermore, while conceding much to the Ordinary, he is careful to note that a certain statute on which he had been commenting does not derogate from papal law. If the king, by way of patronage and by papal authority, bestows a benefice upon a cleric, or by special papal privilege invests him with the insignia of office, the

cleric obtains a canonical title, even though the diocesan Ordinary should be unwilling. Archbishop Peckham in enforcing a decree of Cardinal Othobon used the words, *Præcipimus inviolabiliter observari* ("we order that they be inviolably observed"), which called forth the following comment from Lyndwood: Why is it here commanded that the constitution should be observed, when it was already sufficiently binding? This is an executive precept rather than an authoritative statute. The archbishop may add new penalties to a decree issued by the legate, but he cannot change or do away with these decrees, because *Inferior non potest tollere legem Superioris* ("an inferior cannot annul a superior's law"), and there is no doubt in Lyndwood's mind that the archbishop is inferior to the legate, just as the legate is to the Pope. When we consider the position held by Lyndwood—he was Dean of the Arches and chief official of the court of Canterbury—his insistence upon the superiority of the decretals and canons formulated by the Roman court over those of the English archbishops is all the more important, and we may therefore rightfully conclude that he would never fail to uphold the canon law of Rome and insist upon the strict and complete application of its precepts in the court under his direction. John of Athon also declaims against those who contemn the canons. Such are guilty of mortal sin of no small degree of malice, since they sin against the Holy Ghost Himself, under whose inspiration these canons were drawn up. According to Athon, the power possessed by the Pope is practically unlimited. True, he cannot change the Ten Commandments, the Sacraments or the laws of Nature. But apart from these limitations, there is no one to

question the lengths to which the Supreme Pontiff might not go in action or in legislation. At a time when the agitation against papal provisions to vacant benefices was beginning to assume a very definite form on the part of the English kings and parliaments, Athon gives as the common doctrine of the day, that the dominion over all churches in the whole world belongs absolutely to the Pope, who can dispose of them as he sees fit. And a century later, Lyndwood repeats the same doctrine. He says that, although by custom the temporal courts have taken to themselves the jurisdiction over patronage and presentation, yet by right these belong to the spiritual courts, and even if the king be the lord of all churches in England and Normandy by feudal right, still it is only by virtue of a papal privilege or by papal authority that he can confer them upon any cleric.

We shall now consider the views of another great English Churchman, who lived in an earlier period than Lyndwood, and whose testimony in matters pertaining to the mediæval Church is of great weight—Robert Grosseteste, Bishop of Lincoln (1235–1253). Obedience to the Roman Pontiff is, to him, the chief duty of all the faithful. Just as in the order of Nature the sun is the centre of the universe, so in the ecclesiastical world the Pope is the one bright planet about which all others revolve, and from which they receive their life and power. From this he quite naturally concludes that devoted obedience is to be paid the Supreme Pontiff by the whole Church, not through fear or by coercion, but spontaneously, lovingly. Nothing should be strong enough to sever these bonds of love and obedience, neither persecution, tribulations, nor death itself. Although the writings of Grosseteste continually exhale

this spirit of love and obedience towards the Pope, still that did not prevent him at times from reproving the Roman court for an abuse of its power concerning the collation of benefices. A candidate had been put forward for a prebend in his diocese of Lincoln. Grosseteste, deeming the cleric unfit for such a position, refused to admit him to the benefice in question, and wrote to the papal legate Otho, giving his reasons for such an action. He admits in explicit terms the power of the Pope to present to all benefices wherever they may be, but at the same time issues a warning against the abuse of such power, which would result in much harm to souls. When Henry III tried to prevent a tax which had been levied by papal command from being gathered, Grosseteste warns him that he is guilty of disobedience—papal commands bind all, and they who will not obey are guilty of the sin of witchcraft and idolatry. On another occasion, when this same king made efforts to bring clerics before the civil courts in personal actions, a proceeding which was against the prescriptions of canon law, Grosseteste opposed this action and drew down upon himself the royal displeasure. He thereupon wrote to the Archbishop of Canterbury complaining of the king's conduct. "For," he said, "since all are bound to obey the statutes of the supreme Pontiff and the canonical injunctions, according to that precept of the Apostle, 'Obey your superiors and be submissive to them,' are not they guilty of disobedience and even of idolatry and witchcraft who openly disregard these injunctions?" Those prelates who give way to the royal demands and permit clerics to be so tried, are guilty of the gravest sin, especially as this is contrary to the canons and decretals; above all, since they at their

consecration promised by solemn vow that they would reverently receive, teach and observe the decretals of the Holy and Apostolic See. The king continued his aggressions against what Grosseteste called the "liberties of the Church" by appointing abbots as secular judges, contrary to the canons, and the bishop again complained to the archbishop, reminding the latter that not even the laws of princes can prevail against the ecclesiastical laws; no one is authorized to judge the pronouncements of the Holy See, to revoke its sentences or belittle its decretals. There is no misjudging the mind of Bishop Grosseteste regarding the degree of authority possessed by the canons and decretals. They were absolutely binding—of supreme authority, and when he occasionally saw them set aside by the temporal power, he was not slow to denounce these infringements on the rights and liberties of the Church in a manner most fearless. If, to his way of thinking, not even the laws of princes *possunt ecclesiastica jura dissolvere* (can abolish ecclesiastical laws), and it is quite evident that he here means the canons and decretals, can we doubt that he would have been the first to deny the possibility of any local ecclesiastical legislation prevailing against the papal law, or that the courts Christian could do otherwise than obey the precepts of that law?

Further expression of the minds of English prelates on this subject may be found in the recorded *acta* of the synods and councils held under their direction, and also in their conduct on other occasions. We meet with many complaints of the bishops against papal exactions, as, for example, at the Synod of London in 1239, during the Council of London in 1246, and again in a direct appeal which was sent to Innocent IV in 1246 by the

Archbishop of Canterbury and his suffragans. Although they call attention to these evils, and ask that a remedy be applied, yet we find no denial of the papal power in these actions, but, on the contrary, expressions of submission and devotion. Robert Winchelsey, Archbishop of Canterbury (1293–1313), writing to Pope Boniface VIII in 1300, signified his desire to fulfil all papal commands and prescriptions with due promptitude and to the best of his ability without making any conditions or reservations whatsoever. In 1382 the Archbishop of Canterbury and his suffragans condemned as heretical the doctrine that if the Pope should be reprobate or an evil man, he could have no jurisdiction over the faithful unless this authority be given him by the secular power. The royal prohibition of Richard II in 1398 against papal provisors brought as a consequence a firm protest in parliament from the Archbishops of Canterbury and York, who acted also for their suffragans. They tell the king that any royal statute made with a view to hinder in England the exercise of the jurisdiction of the Apostolic See in any way, or which tends to subvert, or is derogatory to, the recognized liberties of the Church, will not be accepted by them in any manner whatsoever—*protestamur . . . quod nolumus nec intendimus . . . quomodolibet consentire* (we protest . . . that we object and do not purpose . . . in any way to consent). William Courtney, Archbishop of Canterbury, protested publicly, in his own name and for his suffragans, during a parliament held in 1387, and wished it to be well known that he would have no part in certain legislation then under discussion, nor would such obtain his consent, because in that meeting certain measures were to be adopted to which neither he nor his suffragans

could give their support, owing to a prohibition of the sacred canons. He withdrew from the parliament, but impressed upon those remaining that no advantage was to be taken by them of this action at any future date. The Archbishop also protested against an oath which he had been asked to take during a parliament of the preceding year; declared that no one, unless it be the Supreme Pontiff himself, could bind him by any oath whatsoever, and finally swore that he would not observe the oath were it to be forced upon him, if by it the laws and liberties of the Church of Canterbury or those of the holy Roman Church, here and elsewhere, should be violated, or his own metropolitan dignity, state and conscience slighted in any possible manner. We find a similar protestation made by Archbishop Warham under like circumstances in 1531—the last before the submission of the clergy to Henry VIII. Archbishop Chichele, having received apostolic letters, holds himself bound to have these same published throughout his province without any delay, and commands that they be read and explained to the people and obeyed by all. In 1427 this same prelate was commanded by Pope Martin V to secure the repeal of a statute, or of statutes, which had been passed by English parliaments during the previous years. Many letters passed between Rome and Canterbury on this occasion, which are of extreme interest, because they show us just what was the position of the Pope in relation to the Archbishop-Primate. Chichele is exhorted, is commanded by virtue of holy obedience and under pain of excommunication, to be present at the coming parliament of January, 1428, and to use all his power to the end that the objectionable statute might be repealed. . . . *exhortamur in Domino*

et in virtute sanctae obedientiae injungimus. . . . : . . . hortamur, monemus, requirimus, et in virtute sanctae obedientiae, et sub excommunicationis poena, cui (si neglexeris) ipso facto te subjicimus, districte praecipiendo mandamus, quatenus quamprimum ad locum, ubi conciliarii . . . Angliae regis . . . conveniunt . . . des operam efficacem in dicto parliamento ut statutum illud . . . omnino tollatur. The Pope will hear of no excuses (*. . . intelliges . . . non acceptaturi de caetero ullam tuam sive impotentiae sive aliorum respectuum excusationem . . .*), and, furthermore, warns the Archbishop that should he fail in this commission, he will be deprived of his dignity and office as legate of the Holy See. Chichele went before the Parliament as he had been commanded, accompanied by the Archbishop of York and other prelates, and made his appeal for the abolition of the obnoxious statute. He was unsuccessful. Martin then deprived him of his legatine powers, upon which the Archbishop appealed against this sentence to a general council. However, he soon saw the uselessness of this action, and found his own Dean of the Arches, Lyndwood, quoting against him, with apparently no disapproval, the teaching of other famous canonists and doctors, that the Pope is above a general council, and that therefore there was no possible appeal from his judgments. In 1518, Wolsey, who was then Archbishop of York, issued the Constitutions of York, which were to be binding throughout his province, saving always the prescriptions of the canonical constitutions and decretals, from which he did not intend to depart, but wished to be observed and obeyed. In 1279, Archbishop Peckham, at the Council of Reading, formulated a decree against pluralists which was directly contrary to the letter of the

papal and legatine legislation in the matter, although the general spirit of that law was observed. By 1281, however, he had changed somewhat, and instead of counteracting any other papal decrees, he tells the prelates assembled at the Council of Lambeth that they who will not hear the Church are as the heathen and publicans; contempt for apostolic authority is as contempt for the Father of all; the decrees of Lateran and Lyons, which had been slighted before, are now to be observed, and if in these laws there should be anything which is difficult to bear and not consonant with local custom, then, let the apostolic clemency be humbly implored for some mitigation of their rigour, for obedience is better than sacrifice, and disobedience is as the sin of witchcraft and idolatry. In the same year he wrote to the king, Edward I, in the following strain: The king himself is bound by an express precept of the law to obey the Supreme Pontiff, and if perhaps some enemy of the Church should say that the Supreme Pontiff has no right to impose the burden of such laws or canons on secular princes, we, with the universal Church and all holy and learned men, maintain that such a teaching is false, and hold fast to the contrary. Therefore it belongs by right to the Holy Father to give the final judgment in causes which are beyond the powers of all inferior judges.

From these few facts it is quite evident that mediæval English prelates had a very high conception both of the authority of the canons and decretals as contained in the *Corpus Juris Canonici*, and of the obedience they owed their chief religious superior, the Roman Pontiff; and since the names of Archbishops of Canterbury figure largely in the examples quoted, it seems highly

improbable that they would give preference to any local code of ecclesiastical law, but, on the contrary, would be most careful not to permit any deviation from the precepts of the papal law in the courts under their jurisdiction. And if further evidence of this were needed it could be supplied by the oath which each Archbishop of Canterbury—who was the Primate and highest local ecclesiastical authority—had to take at his reception of the pallium, by which he bound himself by the strictest obedience to the Holy See; he could by virtue of this oath do nothing which might injure its prerogatives by counsel, in act or any other way, nor could he even dispose of the possessions belonging to his archbishopric in any manner whatsoever, without special permission from the Roman Pontiff. When we compare with this the oath of loyalty taken by English prelates to the king when receiving the temporalities of their sees as Lords of the Realm, it is quite evident that of the two powers to which they were subject as prelates and as citizens, they realized full well that they owed obedience principally to their religious superior, and were bound more stringently by their oath to him than by their promise to the king.

A brief recapitulation of the data obtained from the sources consulted in the course of our study of this question will now be offered, followed by a statement of our conclusions. It has been noted that canon law, properly so-called, dates only from the beginning of the thirteenth century, when in 1210 Innocent III published a collection of decretals which were to have the binding force of law in all ecclesiastical courts. The *Decretum* of Gratian was never so approved, and has rightly been considered merely as "furnishing scientific confirmation

for professional or empiric argument." The decretals, on the other hand, were always regarded as authoritative law, because the position of the mediæval popes as ecclesiastical law-givers was sufficient to endow their legislation with force and authority. No evidence could be found in the acts of mediæval provincial synods, chapters or convocations to prove either that the papal law had to be "received" in England before any one would be bound to its observance, or that this law was ever "imposed" on the country by force. The legatine and provincial constitutions were insufficient in themselves to be considered the "authoritative canon law of the realm." These decrees are often couched in terms too general to embrace those details so necessary in legal actions, and, as has been seen, are silent on, or give but scant attention to, some titles which were of great importance to both clergy and laity in the religious, social and legal life of the times. The writings of Athon and Lyndwood on these constitutions indicate that there was another code of ecclesiastical laws to which obedience was to be rendered; a code which could not be set aside or superseded even by legatine or archiepiscopal authority. A very necessary distinction was made between the spiritual and the civil courts, and the influence of the Canon Law of Rome on each has been considered. The scarcity, and in some instances the utter absence of documentary evidence for the actions carried before the courts Christian, was commented on, as also the necessity of relying on other sources of information regarding these courts. The opinions of Lyndwood, Bishop Grosseteste, and other prominent mediæval English ecclesiastics give us very definite and conclusive ideas as to their position regarding the supreme authority

possessed by papal legislation. The place of provincial customs in the general scheme of Church legislation was seen to be secondary when compared with definite laws, unless these customs were possessed of certain qualities stipulated by the decretals, which then gave them a force and vitality which they could not otherwise have obtained. In our study of the relations between Roman Canon Law and the English civil courts we had occasion to notice the many titles over which both the temporal and spiritual powers claimed and exercised jurisdiction, and cases were studied which showed that the former did not acknowledge the right of the latter to the wide jurisdiction demanded, except in those affairs which were undoubtedly of a spiritual nature.

The chief sources from which we have drawn our information are mediæval—the actions and writings of ecclesiastics who held positions of trust and authority during this period. Being mediæval, this evidence is all the more trustworthy. It commands our closest attention and our acceptance, unless we wish to invalidate the fundamental principles upon which the structure of historical studies and criticism rests. On the basis of this evidence, then, we formulate the following conclusions:

(*a*) The Canon Law of Rome was the *Jus Commune* of the whole mediæval Catholic Church. The Church in England was an integral part of that body and therefore was ruled by the same laws. No formal "reception" of this law by English provincial synods, councils or convocations is recorded, and it was not "imposed" on the country, simply it was obeyed as a matter of course, without the slightest thought of any alternative being possible. Furthermore, it was not necessary that papal law should agree with the common law of the realm before it would

be binding on the ecclesiastical courts. No proof can be adduced to show that, when undisturbed by interference from the temporal power, these courts did not hold themselves bound to obey the Canon Law of Rome.

(*b*) There is no evidence to prove that the decretals or other papal pronouncements were ever deliberately disregarded by any English court Christian. On the contrary, from the writings of mediæval English canonists and prelates it is quite evident that papal law to them was of supreme authority and bound all to its observance.

(*c*) The legatine and provincial constitutions did not form the complete Church law of England, nor were they the most authoritative part of the law by which the Church in England was governed. They were merely supplementary parts of the Canon Law of Rome.

(*d*) Local customs could prevail against the decretals if they were properly approved and had existed for a stated length of time. These conditions are laid down by the *Corpus Juris Canonici*, and are insisted upon repeatedly by the two principal English canonists when explaining customs which apparently run counter to the Roman Canon Law.

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IX.

THE VATICAN COUNCIL AND PAPAL INFALLIBILITY.

By the Rev. Richard Downey, D.D.

The Vatican Council sat from 8th December, 1869, till its prorogation on 20th October, 1870, that is to say, during a period of European history characterized by great social and political unrest; and the Council itself, though occupied with religious matters, because of its international character was soon made a political storm-centre by the press of Europe. In the circumstances it is hardly surprising that outside the Council, and even within it, things were said and done which in the retrospect are seen to be deeply regrettable. As Newman remarked, "there are partisans of Rome who have not the sanctity and wisdom of Rome herself."[1] It is no easy task even now to disentangle the facts from the polemics of the period, but the lapse of half a century has at least given us the necessary perspective.

In the first place we see that the Vatican Council is unique amongst general councils in many matters which mark its independence and authority. Unlike earlier councils, it was not convoked by Church and State; bishops were not summoned to attend under penalty of civil disabilities, and their deliberations were not hampered by interference on the part of temporal rulers. It might be said, for instance, that orthodoxy triumphed at Ephesus because the Empire sided with Rome. It can hardly be said that secular interests

[1] *A Letter addressed to His Grace the Duke of Norfolk, on the occasion of Mr. Gladstone's Recent Expostulation* (1875), p. 95.

played a part in bringing about the definition of papal infallibility. In fact the Bavarian Government in 1869, abetted if not inspired by Döllinger, addressed a note to all the European Powers in the hope of ranging them in solid phalanx against the coming council. But the note proved abortive, and the Fathers of the Vatican, though violently assailed in the Press, in their deliberations at least were free from all external pressure.

Again, the Vatican is unique amongst general councils in that it caused no schism within the episcopal body. After Nicaea, eighty bishops withdrew their allegiance; after Ephesus, thirty proclaimed themselves Nestorians; after Chalcedon, Eutyches and his followers went into open revolt. After the Vatican, with all its storm and stress, not one single bishop refused to accept its decrees. This is the more remarkable when we reflect that the Vatican Council is unique, too, in the number of bishops who attended. Never before in the annals of the Church had so many bishops met together. There were over seven hundred at the opening session, and five hundred and thirty-five at the final voting. Of the seven hundred, one hundred and thirty were archbishops, nine were patriarchs, the majority of whom were oriental. There met together on the threshold of the Vatican, as a hostile historian has recorded, "the Patriarch of Babylon and the Bishop of Chicago, representatives of bygone ages and of ages yet to come."[1]

The Council was unique, too, in the fulness of discussion given to the dogma with which its name is chiefly associated. For two months (13th May to 13th July) the Constitution *De Romani Pontificis Infallibili Magisterio*, treating of the primacy and infallibility of the pope,

[1] *Rome During the Vatican Council*, by Pomponio Leto, p. 7.

was discussed in all its bearings. The debate on the Constitution as a whole occupied fourteen sessions, in the course of which no less than sixty-four Fathers spoke, whilst over a hundred contributed to the five special discussions. The consideration of the fourth chapter, which treated explicitly of papal infallibility, occupied eleven sessions, during which fifty-seven speeches were delivered. The whole matter was threshed out with a thoroughness which has few parallels in the annals of debate, so that finally at the Council it was conceded on all sides that the field of enquiry had been completely covered, and that further discussion could result only in repetition.

Three hundred years had elapsed since the last general council, and an inarticulate feeling pervaded the Catholic body that the special needs of the times called for a remedy which the experience and wisdom of the episcopate met in council might supply. The function of a general council is, as Cardinal Manning expressed it, "to give to truth, already known by divine tradition, a more precise expression for common and universal use."[1] The infallible guidance of the Holy Spirit is with the Church, and derivatively only with general councils. That the latter are not of absolute necessity is clear from a survey of the Church in action. For the first three hundred years the Church discharged her divine office without any general council, and in all her long history there has been on an average only one such council in every hundred years. Normally guidance comes from the living voice of the Church, as manifested in the teaching of her bishops scattered the world over. The fact of their being collocated does not give them any

[1] *The True Story of the Vatican Council*, p. 15.

access of authority. The Church may avail herself of the collective knowledge of her bishops met in council the better to counteract the errors incidental to every succeeding age, but her infallibility is not, as it were, in abeyance until she does so. Councils fulfil a useful function in making clear the bearing of divine revelation on problems of the day; they are part of the natural economy of which the Church avails herself in her office of divine teacher.

Here it is necessary to review, as briefly as may be, the history of Gallicanism, which unduly maximized the authority of general councils. Gallicanism was in no sense an evolution of doctrine on theological lines, it was begotten rather of historical necessities, and in its growth moulded into shape by them. The Great Western Schism with its rival claimants to the papacy gave rise to many questionings as to the papal system, and it is hardly astonishing that doubts soon spread from the persons of the claimants to the office itself. Doubtless Gerson (1365–1429), in placing general councils above the Pope, and in denying infallibility to the latter, thought that he was safeguarding the Church against future turmoil and stabilizing the faith of the millions. At the outset Gallicanism was in reality a rationalization of the then troubled state of the Church. Soon the theory received the interested support of kings and princes, who saw in it a powerful weapon against anything which they might regard as papal aggression, and an instrument whereby the State might make the Church subservient to its temporal aims.

The illegal actions of the Council of Pisa, which had deposed the two rival popes and raised Alexander V to the papacy (1409); and of Constance, which had

declared that it derived its authority direct from Christ, and that consequently even the Pope must conform to all its decrees (1515); and of Basle, which renewed the decree of Constance regarding the superiority of a general council over the Pope (1433), made the holding of the Council of Florence an imperative necessity. This council courageously addressed itself to the perplexities which had arisen out of the long period of conflicting obediences within the Church, and straightway going to the root of the matter, struck a blow at the Gallican distinction between the "See of Peter and him that sits in it," by its decree that to the Pope, as the successor of St. Peter (*ipsi in beato Petro*), is given the plenitude of power to feed, to rule and to govern the Universal Church.[1] In the face of that definition it was hardly possible henceforth to hold that, though the see of Peter was infallible, the successor of St. Peter was not. Consequently from that time onwards till its revival in 1682 Gallicanism was at a dogmatic disadvantage. Politically, however, the march of immediate events was in its favour. The exercise of authority on the part of the so-called political popes (1455–1521) led to a reaction which, in the Reformation movement, culminated in the complete rejection of papal authority. That reaction naturally tended to consolidate Gallicanism for the time being. But the tempest of the Reformation swept the more violent reactionaries out of the Church altogether, and left Gallicanism a weather-beaten wreck. After the storm the principle of papal authority was vindicated in no uncertain manner at the Council of Trent, and henceforth any tendency to minimize central authority was looked at askance within the Church.

[1] *Denzinger*, n. 693.

In France, as elsewhere, the Jesuits were consistent upholders of papal infallibility, and on this count, as well as on others, they soon found themselves in violent conflict with the Jansenists. About the middle of the seventeenth century the Jansenist controversy occupied men's minds to the exclusion of almost every other theological question, and the recrudescence of Gallicanism was in no small measure due to the fact that the writings of Jansenius had been condemned by two popes. Naturally enough the Jansenists reacted against any doctrine which favoured papal authority and, with some notable exceptions, they used their influence with Louis XIV to persuade him that the doctrine of papal infallibility was inimical to the *droit de régale*, which in 1673, he, by royal edict, and in contravention of the Council of Lyons, extended to all the dioceses of France. In this the followers of Jansenius were not faithful to the teaching of their master, who in 1619 defended this thesis for his doctorate:

"The Roman Pontiff is the supreme judge of all religious controversies; when he defines a thing and imposes it on the whole Church under penalty of anathema, his decision is just, true and infallible."

Meeting with vigorous opposition—it required seventeen acts of parliament to coerce the Sorbonne into even the semblance of acquiescence—Louis XIV in 1682 convoked the Assembly of the Clergy of France for the expressed purpose of sanctioning the notorious Four Articles known as the "Liberties of the Gallican Church." These articles, after stating that the exercise of papal power was limited by the temporal power of princes and by the canons and customs of particular churches, proceeded to an explicit denial of papal infallibility. The fourth

article laid it down that the decrees of the Pope derive their infallibility only from the assent of the Church, but the teaching of Gerson is modified so that it is no longer contended that the assent must be expressed in a general council. According to the Gallican articles the assent of the Church dispersed is sufficient and necessary to make papal decrees irreformable.

The true character of the Assembly may be estimated by a perusal of the authoritative work[1] of M. Gérin, Judge of the Tribunal of the Seine. From documentary evidence he makes it abundantly clear that the Assembly was packed with royal nominees, despite clamorous public protests on the part of those who had the real liberties of the Church in France at heart. That the language of flattery was not considered out of order in the Assembly may be inferred from the following obsequious oriental salutation which the Promotor Chéron unblushingly applied to Louis XIV:

"In the army more than king, in battle more than soldier, in the empire more than emperor, in civil government more than magistrate, in judgment-hall more than judge, in the Church more than priest."[2]

Everywhere in France the articles at the outset met with strong opposition, and the resistance to the royal edict on the part of the much-maligned Sorbonne was at the time celebrated in popular song:

"La Sorbonne défend la foi
Et le clergé l'édit du roi."

After a fruitless effort to impose the royal theology on that celebrated school, in a letter to Archbishop de

[1] *Recherches historiques sur l'Assemblée du Clergé de France de* 1682 (Ie édition, Lecoffre, Paris, 1869).

[2] *Ibid.*, p. 301, cited from the *Procès-verbal de l'Assemblée.*

Harlay, whose motto was *le roi avant tout*, and who is described by an Anglican sympathizer with Gallicanism as "a thoroughly worldly, self-interested, profligate man"[1] Colbert, the then Secretary of State, gives vent to his fear "of letting it become known to the Court of Rome that the opinions of the Faculty on the subject of the declaration of the clergy are not in conformity with the contents of that declaration."[2] The theological Faculties of Navarre, Cholets and St. Sulpice likewise rejected the articles *tout court*, whilst the regular clergy and the congregations of secular priests were notoriously "ultramontane." However, slowly but surely the leaven of nationalism brought about that ferment, *la doctrine française*. Enough has been said to show that the articles cannot in fairness be taken as the embodiment of the tradition of the Church in France with regard to papal infallibility. Even the slight sketch here given is sufficient to show that Gallicanism, begotten of opportunism and fostered by regalism, is of comparatively recent origin. Were it necessary, abundant evidence might be adduced of the clear witness of the Church in France from the time of Gerson to the Vatican Council as to the infallibility of the Sovereign Pontiff.

The fourth of the Gallican articles decreed that the Pope's "judgment is not irreformable unless it shall have been confirmed by the consent of the Church." Here was a formal and explicit denial of papal infallibility, which, on the eve of the Vatican Council, in the course of nearly two hundred years, had become a definite

[1] *Bossuet and His Contemporaries*, by Henrietta Louise Farrer, p. 263.

[2] *Recherches historiques sur l'Assemblée du Clergé de France de* 1682, p. 353.

doctrine digested into elaborate treatises. Had the Vatican Council taken no notice of that denial, Gallicanism might fairly have claimed to be a tolerated opinion, and error would have spread apace. Definitions for the most part owe their origin to the challenges made to Catholic teaching throughout the ages. Since the previous general council Gallicanism had crystallized into a definite set of tenets constituting a distinct challenge which the bishops met in council could not ignore.

Even before the opening of the Vatican Council, throughout the eight months of its session, and for years afterwards, it was commonly said that the whole *raison d'être* of the Council was to declare the Pope infallible. Pius IX is even described as being bent upon his own apotheosis; but this, as Cardinal Manning suggests, by writers who possibly were unacquainted with Greek. Had the Council been called for the special purpose of defining papal infallibility, I for my part cannot see how that circumstance would affect in any way either the validity of the Council or the legitimacy of its proceedings. Any impartial student who will take the trouble to investigate the matter will find that there was no theological truth, as yet undefined, which had in its support such a weight of argument from the acknowledged sources of scripture and tradition as the infallibility of the Roman Pontiff. But as a matter of historical fact the definition of papal infallibility was certainly not the motive of the convening of the Council. The idea of a general council was first mooted by Pius IX himself at a session of the Congregation of Rites on 6th December, 1864. He asked the cardinals to consider the matter, and, if they thought a council advisable,

to indicate the subjects with which it should deal. Two only of the twenty-one cardinals even mentioned papal infallibility; and Pius IX expressed the views of the Curia accurately when he declared the motive of the council to be "to find an extraordinary remedy for the extraordinary evils of the Christian world." The attention of the world at large undoubtedly was focussed on papal infallibility, chiefly owing to the prominence given to it in the secular press, but to imagine that this was the preoccupation of the Council itself is to misread the facts. One need only refer to the agenda of the Council to realize how extensive was its scope. The matter for discussion is set forth under the following comprehensive headings:

1. Catholic Doctrine as opposed to the errors of Rationalism.
2. The Church of Christ.
3. The Office of Bishops.
4. The Vacancy of Sees.
5. The Life and Manners of the Clergy.
6. The Little Catechism.

In the enormous mass of books, pamphlets and articles evoked by the Vatican Council there is scant reference to anything but papal infallibility. Yet the Council sat for eight months, during six of which it was occupied with other matters. To these there was no glamour attaching, they were not good "copy"; moreover, they were not contentious subjects; at all events they were not the kind of subject about which politicians and journalists were likely to contend. And so the conciliar treatment of them passed unnoticed, and the general public knew nothing of the bulk of real solid but

unspectacular work done by the Council.[1] Here, too, we must reluctantly pass over that work in silence, and confine ourselves to the matter in hand.

It will be noticed that in the agenda there is no mention of the Pope and his prerogatives. These naturally came under the general heading "The Church of Christ," and originally this section contained only two chapters on the Pope—one on the primacy and the other on the temporal power. It was felt by many Fathers of the Council that this section was incomplete without a chapter on the infallibility of the Pope, and accordingly a petition for its inclusion in the section on the Church was drawn up and signed by four hundred and fifty bishops. But there were other bishops who thought that those troublous times were ill-suited for a definition which was likely to arouse the hostility of several governments, and to be widely misunderstood by those who were not of the Catholic Faith. To the number of about a hundred these bishops signed a counter-petition against the addition of a chapter on papal infallibility. The action of these Fathers has been so misrepresented by interested parties that common justice compels us to set that action in its proper light. At the time these bishops were hailed as champions by many outside the Catholic fold who, naturally enough, did not believe that the Pope, or the Church for that matter, was infallible in any way. Of what took place within the Council Hall these people could have no authentic knowledge. At best they were indulging in surmise and

[1] There were altogether 86 general sessions, of an average duration of four hours each; 46 dealt with the Constitution on Catholic Doctrine, and 40 with the Church. The net result may be seen in *The Decrees of the Vatican Council*, edited by Fr. V. McNabb, O.P.

conjecture, and attributing to the Fathers of the opposition motives at which their whole souls must have revolted. The campaign of slander went to the length of putting a forged speech into the mouth of Bishop Strossmayer; and though he publicly denounced the forgery, it long continued in circulation. The real history of the Vatican Council is now well known to us, and one fact emerges clear—that the question as to whether the doctrine of papal infallibility be true or not was never discussed, was never even proposed for discussion. Within the Council the whole question was as to the expediency and the terms of the definition. Cardinal Manning, who, as Archbishop of Westminster, took a prominent part in the proceedings, has placed it on record that "not five bishops in the Council could be justly thought to have opposed the truth of the doctrine."[1] This is confirmed by Fr. Hollenberg's minute examination of the precise reasons which actually influenced each of the Fathers of the opposition.[2]

In compliance with the petition of the four hundred and fifty bishops, on the 7th of March there was added to the section of the agenda dealing with the Church the chapter, "That the Roman Pontiff in defining matters of faith and morals, cannot err"; and the Fathers were given eighteen days in which to consider it and send in amendments before the opening of the formal discussion. On the 11th of July, after the discussion had lasted seven weeks, the report on the additional chapter was drafted. Meantime three paragraphs had been prefaced to it, and the whole section was given the new title, "On the

[1] *The True Story of the Vatican Council*, p. 100.

[2] *De Zegepraal der Pauselijke Onfeilbaarheid op het Vaticaansche Concilie*, by A. Hollenberg (Van Rossum, Utrecht, 1911).

Teaching Office of the Roman Pontiff." On the 13th of July it was put to the vote and carried by a large majority, 451 Fathers voting for it, 88 against it, whilst 62 recorded a conditionally favourable vote, *i.e.*, a vote for it subject to certain amendments. After these amendments had been considered and reported on, many of them being adopted, preparations were made for the final voting. It was decided by a large majority to hold the next public session as soon as possible, as the summer heat (115° in the shade) had begun to affect the health of many of the Fathers, and, moreover, it was obvious to all that war between France and Germany was now only a matter of days. Nevertheless a deputation representing the minority, headed by Cardinal Schwarzenberg and the Archbishop of Paris, waited on the Pope and petitioned him to defer the public session. The Holy Father was unable to accede to this petition, and on July 17th fifty-five bishops addressed to him a document in which they declared their intention of absenting themselves from the public session. Having made this declaration they forthwith left Rome. All manner of sinister motives have been attributed to these Fathers, notwithstanding the fact that the document to which they affixed their signatures expressly states their motive to have been the desire not to offend against "filial piety and reverence" by solemnly recording an adverse vote in a matter so closely concerning the Holy Father.[1]

On July 18th the fourth public session was held, and

[1] The exact words of the document are: *Pietas enim fidelis et reverentia, quae missos nostros nuperrime ad pedes Sanctitatis Vestrae adduxere, non patiuntur nos in causa personam Sanctitatis Vestrae adeo proxime concernente, palam et in facie Patris dicere: non placet.* (*Collectio Lacensis*, Vol. 7, col. 994.)

the votes of the Fathers on the decree of papal infallibility were recorded whilst, to quote the *Times*, "the thunder pealed above and the lightning flashed in at every window." There were 535 bishops present, and of these 533 voted *placet*; two only[1] voted *non placet*, but, on the Holy Father's confirming the definition, they at once came forward and made public profession of their faith. Of the bishops who were absent not a single one refused to accept and promulgate the decree. In the world-wide Catholic episcopate not a dissentient voice was raised, so that, as Archbishop McIntyre has pointed out, "even on Gallican principles the doctrine of papal infallibility is a doctrine of Catholic Faith."[2]

The definition itself is in the following terms:

Therefore, faithfully adhering to the tradition received from the beginning of the Christian faith, for the glory of God our Saviour, the exaltation of the Catholic religion, and the salvation of Christian people, the Sacred Council approving, we teach and define that it is a dogma divinely revealed: that the Roman Pontiff, when he speaks *ex cathedra*—that is, when in the discharge of the office of pastor and teacher of all Christians, by virtue of his supreme Apostolic authority, he defines a doctrine regarding faith or morals to be held by the Universal Church—is, by the divine assistance promised to him in Blessed Peter, possessed of that infallibility with which the Divine Redeemer willed that His Church should be endowed for defining doctrine regarding faith or morals; and that therefore such definitions of the Roman Pontiff are irreformable of themselves, and not from the consent of the Church.[3]

Let us examine the structure of this definition.

1. In its very essence it is a declaration that papal

[1] The Bishops of Caiazzo and of Little Rock in America.
[2] *Papal Infallibility* (Catholic Truth Society), p. 20.
[3] *Collectio Lacensis*, Vol. 7, col. 487

infallibility is "a dogma divinely revealed," *i.e.*, a part of the original deposit of faith as testified to by Christian tradition from the beginning.

2. The definition then proceeds to elucidate the decree of the Council of Florence which declared the Roman Pontiff to be "the pastor and teacher of all Christians." This the Vatican Council does in accordance with precedent. Nearly three hundred years before, Molina had written: "it belongs to the later councils to interpret and to define more exactly and fully what in earlier councils has been defined less clearly, fully and exactly." [1] Accordingly the Vatican Council declares that the pope acts as "pastor and teacher of all Christians" when he speaks *ex cathedra*, *i.e.*, from the chair or with authority.[2] Here for the first time this expression finds place in an official decree of the Church, but it had long been in use in the schools, and probably owed its ecclesiastical usage to the scriptural reference to the chair of Moses (*cathedra Moysis*) as symbolizing the authority of the Scribes and Pharisees. But the definition removes any possible ambiguity of meaning attaching to the phrase by declaring that the Pope speaks *ex cathedra* when "by virtue of his supreme Apostolic authority, he defines a doctrine regarding faith or morals to be held by the Universal Church." Bishop Gasser in the Council stated officially the precise significance in which the term "defines" is here used; it imports "that the Pope give his judgment about doctrine, that is, about faith or morals, directly and finally (*terminative*), so that all the fathful may be certain of the mind of the

[1] *Concordia Liberi Arbitrii cum gratiae donis*, etc., 13, 15; p. 59.

[2] *Collectio Lacensis*, Vol. 7, col. 285 & 411.

Roman Pontiff." [1] The infallibility of the Pope, like the infallibility of the Church, is circumscribed according to the intention of her Divine Founder. Hence, to say that the Pope is not infallible as a man, or as a theologian, or as a priest, or as a bishop; or even as pope when he does *not* speak *ex cathedra*, or on a matter of faith or morals, or with the intention of binding the whole Church, is not, as Dr. Littledale has asserted, "a studious minimizing of the incidence of the dogma." [2] The same kind of charge has been reiterated in recent years by the Bishop of Zanzibar, who writes: "The decrees of 1870 about the Pope, his supremacy and infallibility are no longer accepted in their evident meaning . . . To-day these decrees are ignored," ignored be it understood, by "Modern Romans, from Newman to Cardinal Mercier." [3] His lordship, like Dr. Littledale, is unaware that Newman was in no way singular in his understanding of the Vatican decrees, and that there is in fact absolute unanimity amongst Catholic theologians in this vital matter. Within the Catholic Church his Lordship will look in vain for divergence of opinion as to the meaning of the definition, but apparently he is not of those who take it as a canon that the author of an act is the competent authority to expound its meaning.

3. The definition proceeds to assign the cause of papal infallibility—"the divine assistance," the special providence which watches over the Church, protecting its Head on earth from defining any doctrine, within the province of faith and morals, which is not in conformity with truth. Were the reason of infallibility to

[1] *Collectio Lacensis*, col. 474–5.
[2] *Encyclopaedia Britannica* (9th edition), Vol. 24, p. 113.
[3] *The Christ and His Critics*, pp. 5, 6.

be sought in the collective wisdom of the Church, then, as Cardinal Billot says, Gallicanism would be intelligible; but not when the sole and only cause of infallibility is the divine guidance, which is as easily vouchsafed to one as to many bishops.[1]

4. The definition declares that the Pope has "that infallibility with which the Divine Redeemer willed that His Church should be endowed." To determine then the nature of the Pope's infallibility, it is necessary first of all to be clear as to the infallibility of the Church. She is described in scripture as "the pillar and ground of truth" (1 Tim. iii. 15), a description which implies inerrancy in her teaching office. Clearly this inerrancy can be due only to that abiding divine guidance which Christ has promised to His Church. Of precisely the same nature is the infallibility of the Visible Head of the Church. He is infallible because of his office. His infallibility is not personal in the sense of appertaining to a private, in contradistinction to a public, person. That would be to sever the head from the body. In fact, as Bishop Gasser explained in public session, it was to exclude any such idea, any idea of distinction between the See and him that sits in it, between the Roman Church and the Roman Pontiff, that the word "personal" was introduced in discussion.[2] Yet this word has been seized upon and twisted in such a way as to make it appear that the pope was declared to have some kind of private gift akin to, if not identical with, private inspiration.

Such an interpretation is excluded both by the title and the wording of the chapter which contains the

[1] *De Ecclesia*, Vol. 1, p. 646.

[2] *Collectio Lacensis*, Vol. 7, col. 398.

definition. It is entitled *De Romani Pontificis Infallibili Magisterio* (On the infallible *teaching office* of the Roman Pontiff); and in the chapter itself infallibility is described as a *charisma, i.e.*, a gift which, like prophecy, is bestowed not for the recipient's own benefit, but for that of others. Moreover, the chapter states explicitly that this *charisma* was conferred on Peter and his successors "that they might perform their high office for the salvation of all." Infallibility is personal only in the sense that the office of pastor and teacher of the Universal Church is necessarily held by a person.

5. The decree proceeds: "Such definitions of the Roman Pontiff are irreformable of themselves, and not from the consent of the Church." This phraseology is taken from the fourth Gallican article, which had placed infallibility in the Body of the Church as its proper seat, and only by consequence in the Visible Head. By these words the Church solemnly reasserted the teaching of her Divine Founder that it is Peter who confirms his brethren, and not his brethren who confirm him. Yet there are some who affect to see in this a minimizing of the authority of the episcopate. Any such intention was disavowed in the Council itself. No one has ever claimed for individual bishops, as such, any kind of infallibility. With regard to the corporate episcopate, as was pointed out at the Vatican, throughout the ages bishops, even when met in general council, have been regarded as vested with infallible authority only when they were in agreement with the Supreme Pastor and Teacher, or when they made some decision of his their own; as for instance, when the bishops of Chalcedon acclaimed the dogmatic epistle of Leo, or when the Fathers of the third Council of Constantinople accepted

the definition of Agatho.[1] The authority of bishops since the Vatican remains what it always was; it has not been affected in any way by the definition of 1870. But it would have been affected had the Church not extinguished the menacing fires of Gallicanism; for, as Archbishop Manning reminded those who were opposed to the definition, "bishops are not elevated by the depression of their chief." [2]

In England, during the Vatican Council, the deepest interest was taken in its proceedings, and that interest was for the most part of a religious rather than of a political complexion. Exception was taken to the dogma of papal infallibility on scriptural and patristic grounds, but in the main the definition was rejected in consequence of the denial of the ecumenical character of the council. Yet it is difficult to see on what principle Chalcedon is accepted whilst the Vatican is rejected. If it be said that the Fathers of the Vatican were overwhelmingly Western, it must be borne in mind that of the 630 Fathers at Chalcedon all were Eastern except the papal legates and two African bishops.[3] If it be objected that at the Vatican only bishops in union with Rome were present, it is sufficient answer to recall the words which the Council of Chalcedon addressed to Pope Leo: "In thy representatives thou didst take the presidency over the members of the synod, as the head over the members."[4] If it be urged that the Vatican decrees were not accepted by the whole of Christendom,

[1] *Collectio Lacensis*, Vol. 7, col. 397.

[2] *The Œcumenical Council and the Infallibility of the Roman Pontiff* (1869), p. 148.

[3] *History of the Church Councils*, by Hefele, trans. by W. R. Clark, Vol. 2, p. 298.

[4] *Ibid.*, p. 297.

what shall we say of Chalcedon with its recalcitrant Monophysites? And, finally, never at any of the great historic synods was there greater freedom and fulness of discussion than at the Vatican. There, if anywhere, we hear the living voice of the living Church in general council.

It is admitted on all sides that the last twenty years represent something more than the conventional dawn of a new century. A new spirit, elusive and perplexing, is discernible in life and literature. It is difficult to describe and impossible to define. But in an age beset with post-war problems, when the profane novelties of words and the oppositions of knowledge falsely so-called are for ever resounding in our ears, we may seek safe anchorage amidst the universal drift in the hope which the present Holy Father has given us that, at no distant date, we ourselves, in our own persons, may be a cloud of witnesses to the resumption of the interrupted work of the great historic council of the Vatican. *Vivamus in spe.*

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X.

THE PAPACY AT WORK TO-DAY

By the Rt. Rev. W. F. Brown, D.D.

It is obvious that the government of the Church, which has 1024 residential sees of the Latin rite, 87 residential sees of oriental rites, 605 titular sees, most of which are occupied, 15 apostolic delegations, 202 vicariates, 65 apostolic prefectures, and 24 missions must involve a vast amount of administrative work for the Holy See. And when to this is added all the spiritual affairs which have to be referred to Rome, and the diplomatic relations of the Holy See with the various civil governments, one does not need much imagination to realize how vast must be the stream of business concerning the Universal Church flowing to and from Rome day by day. It would be most interesting to trace the origin and development of the various congregations or committees which the Holy See has established to aid the Sovereign Pontiff in the discharge of his multifarious and exacting duties, but space would not allow of it in this paper. It will, however, be of service to describe briefly the central administration of the Papacy during the period of the Avignon Popes, 1305–78, so as to enable one to get an idea of the amazing expansion in the instruments of ecclesiastical government that has taken place since that remarkable period in the history of the Popes. Under the papacy of Avignon the central administration of the Church was divided into four principal institutions: the Apostolic Chamber, the Chancellery, the Judicature, and the Penitentiary.

The Apostolic Chamber had control over the financial affairs of the Papal States and of the Holy See, and a vast amount of business was transacted by its various departments.

The Chancellery was entrusted with the despatch of the various apostolic letters, and discharged duties of the highest responsibility.

The Judicature or Judicial Administration was divided into three kinds of tribunals, namely, the Consistory, the Cardinalitial Courts, and the Audience or hearing of contested cases—technically known as *audientia litterarum contradictarum*, or more simply *audientia publica*. The Pope and the Cardinals united in the Consistory formed a Judicial Court competent to deal with every kind of case. It was before this tribunal that the notorious Queen Joan I of Naples appeared at Avignon in 1348 and successfully defended herself against the charge of having murdered her first husband.

The hearing of cases in the Apostolic Chamber led to the evolution of the Rota as an autonomous tribunal. Its origin is obscure, but the name has existed since 1336, and, thanks to Pius X, it is once again the principal judicial tribune of the Universal Church.

The Penitentiary was a tribunal dealing with spiritual affairs. It had the power to remove ecclesiastical censures, *e.g.*, excommunication, suspension and interdict, to dispense from irregularities and matrimonial impediments, and to absolve reserve cases.

A detailed examination of the machinery of these various departments of papal government as it existed in the fourteenth century would disclose most minute and elaborate provisions against fraud and abuses. The establishment of this form of government was the work

of the popes of Avignon, and especially of John XXII and Benedict XII. Their work, which bore the impress of French genius, has proved lasting, and has been the foundation on to which improvements in detail have been imposed by popes of other centuries—mainly Sixtus V.

We now come to the government of the Church as it exists at Rome to-day. It is well known that Pius X, by the Constitution *Sapienti Consilio*, dated 29th June, 1908, reformed the Congregations which had existed since the time of Sixtus V, created several new ones, and separating administrative affairs from contentious business, restored the Tribunal of the Rota for the latter to its old position of importance, above which for certain specified cases and as a court of appeal on procedure is the supreme Court of the Segnatura. Pius X gave certain rules to be observed throughout all the congregations, tribunals and offices of the Roman curia, as well as those which concern each particular branch of papal government.

The twelve congregations are as follows:—

I. The Holy Office.
II. The Consistorial Congregation.
III. The Congregation of the Sacraments.
IV. The Congregation of the Council.
V. The Congregation of Religious.
VI. The Congregation of Propaganda.
VII. The Congregation of Rites.
VIII. The Congregation for Ceremonial.
IX. The Congregation for Extraordinary Affairs.
X. The Congregation for Seminaries and Studies.
XI. The Congregation for the Oriental Church.
XII. The Congregation for the fabric of St. Peter's

Of the above the first six are the most important; but as the Consistorial is entrusted with the formation and oversight of dioceses, except in missionary countries, and with the appointment of their bishops, besides many other duties, it is undoubtedly the best known.

The Roman tribunals comprise the following:—

I. The Sacred Penitentiary.
II. The Roman Rota.
III. The Apostolic Segnatura.

There are also the following departments known as offices:—

I. The Chancellery.
II. The Dataria.
III. The Apostolic Chamber.
IV. The Secretariate of State.

In addition to these, certain permanent or Standing Commissions have been appointed:—

Pontifical Commission for Biblical Studies.
Pontifical Commission for the interpretation of the Canon Law.
Pontifical Commission for the revision and correction of the Vulgate.
Pontifical Commission for Religious works.

The following are Commissions of Cardinals:—

I. For the preservation of the Faith in Rome.
II. For Historical Studies.
III. For the administration of the property of the Holy See.

There are no less than twenty-five Nuncios or Internuncios or *Chargés d'affaires* to various states; while the number of ambassadors and envoys to the Holy See is twenty-seven.

The apostolic delegations, which have permanent local representatives of the Holy See, these being quite distinct from the diplomatic body, are eighteen in number, and are subject to the Consistorial Congregation, or to Propaganda, or to the Congregation for the Oriental Church.

Besides these permanent delegates the Holy See also occasionally sends apostolic visitors to various countries, either to report upon spiritual affairs, or to deal with matters concerning religion or the Church in connection with the civil governments.

There are also the Papal Orders of Knighthood, chief among which is the Supreme Order of Christ, titles of nobility, and decorations, such as the Cross *Pro Ecclesia et Pontifice.* The work of teaching is carried on by various colleges and academies, among which the best known is the Roman College or Gregorian University, which is also, in common with several others, an examining body conferring degrees in Sacred Science. Many countries, including England, Scotland and Ireland, have their national colleges, and the same is true of the principal religious orders of men.

The semi-official organ, the *Osservatore Romano,* in its leading articles frequently deals with questions of policy. The channel of communication between the Holy See, the bishops, the clergy, and Catholics in general, is the official *Acta Apostolicae Sedis,* which contains official documents and decisions issued by the various congregations and tribunals. For matters of special importance the

Holy Father uses the Encyclical Letter, which is a document addressed to all the local ordinaries throughout the world, translated into the various languages, published in Catholic papers, and in some cases read to the people in every church. A very important feature of the life of the Church in Rome is the representation of the various religious orders of men and women. Nearly a hundred orders of men have a house in Rome with a permanent representative, and the same is true of various congregations of brothers and religious orders of women. The religious orders are very largely represented, not only in the College of Cardinals, but on the various Congregations, which, in addition to their cardinal members, have a large body of officials and advisers technically known as consultors. If we add to these the various Palatine administrations, which are concerned with the apostolic palaces, under which heading are included buildings like the Cancelleria, the Dataria and the Holy Office, with museums and galleries, with the Vatican Observatory and Polyglot Printing Press, we shall find another branch of papal administration concerned very largely with science and art, and having the care of monuments of antiquity which are visited by students from all parts of the world.

It will be well now to give some description of the methods adopted by the Holy See in dealing with the mass of business which comes before its congregations and tribunals. When it is remembered that the number of cardinals residing in Rome, cardinals *in curia* as they are called, seldom exceeds thirty, and is sometimes considerably lower, as at present, it is obvious that the members of the various congregations, however able and energetic, cannot deal themselves with the details

of business coming before the congregations. Among the cardinals *in curia* there are usually several who are unable on account of advanced age or feeble health to give active service on the congregations to which they belong. So a reduction has to be made even on the numbers of resident cardinals in estimating those who are available for active and regular work. Every congregation has its various officials, the chiefs corresponding to what we should call principal and assistant secretaries, together with a large body of minor officials, some of them discharging very responsible duties. In addition to these there are attached to the congregations a body of skilled advisers called consultors, whose specialized knowledge is at the service of the congregation and its officials. In only one case, that of the Holy Office, are the consultors organized in a corporate body which meets, deliberates, and comes to conclusions which are submitted to the congregation for decision. In all other cases the consultors are individuals who may be called upon, but need not necessarily be employed by, the congregation, in which latter case their position is purely honorary. The method of procedure is usually as follows: A case comes before a congregation, it may be a matrimonial case at the Congregation of the Sacraments, or some matter concerning the holding of Church property under the civil law in England or America, and a decision is sought for by those who have sent up the case. Clearly the ordinary *personnel* of a congregation, most of whom are Italians and Romans, cannot have sufficient knowledge to be able to deal with each case as it arises. Complicated points of civil and canon law may come into the case, the delicate question of the Church's policy towards the

civil government in some Protestant or pagan country may be involved. It is necessary to have expert advice before the congregation can safely attempt to come to a decision in the matter. Accordingly the papers are sent to one or more consultors, and a detailed and considered opinion must be prepared upon the case in all its bearings. In such circumstances it may be necessary to collect information in the country itself from which the case came, and to procure for the sacred congregation the best professional advice obtainable, legal or otherwise. When all this has been done the case is submitted to the congregation for consideration and decision, and obviously the various cardinals, particularly those mainly concerned with the principal congregations, have a vast amount of matter sent to them to read and digest before the business comes up at a meeting of the congregation. Cases coming before a tribunal like the Rota involve all the intricate and complicated details of judicial procedure. There is no time to describe these in this paper even in outline, but when the procedure is carefully studied it will be seen how carefully it has been designed in order to give both sides to a dispute every opportunity of setting the full facts before the tribunal.

A very large body of Roman lawyers exists, the majority of them laymen, and some of them holding positions of great dignity, such as the consistorial advocates. Some of them have a large staff of clerks, and are regularly employed, not merely for judicial cases, but as agents of bishops throughout the whole world. These men are highly skilled, many of them write Latin with great ease and extreme grace, and they render valuable assistance, particularly to the tribunals in

preparing and submitting legal cases in proper form. It is the practice of the English, the Scottish and the Irish bishops to employ the rectors of their colleges as their ordinary agents, but in matters of extreme importance and difficulty they may find it necessary to employ a Roman advocate, while continental bishops for the most part have laymen as their Roman agents.

This is not the place to go fully into the question of decisions in matrimonial causes coming before the Holy Office, the Congregation of the Sacraments or the Rota; but it is not unfitting to make a few observations. Where a question concerning the validity of a marriage is raised, the matter in the first instance is brought before the local ordinary. In certain cases, *viz.*, where the matter is contentious, it goes in the ordinary course to a tribunal of not less than three judges appointed by the ordinary. In every diocese there is an important official called the *Defensor Vinculi*, whose duty it is to see that the case against the validity of a marriage is clearly proved, and to appeal against the decision of the Court unless so satisfied. In cases reserved to the Holy See, such as those dealing with the Pauline Privilege, defective consent, non-consummation and impotence, the *defensor vinculi* is always bound to appeal from the decision of the local ordinary's tribunal to a higher court, and ultimately to the Holy See. But in other cases, provided he is satisfied that there is clear documentary evidence in support of the plea, no appeal is necessary, and the matter can be dealt with in the local court. In view of the many misrepresentations regarding decrees of nullity granted by the Church it would be well to have the matter fully treated in a pamphlet for the instruction of Catholics as well as

non-Catholics. So far no publication has appeared which describes the constitution and procedure of ecclesiastical courts dealing with matrimonial causes in a way that would be easily understood by the ordinary reader.

In conclusion, it may safely be stated that no other centre of government in the world is better informed than the Holy See. When one considers the vast organization of the Church one can easily realize the enormous amount of valuable information that reaches Rome from all quarters. It is not merely through the formal channels of diplomatic communication that the Holy See is able to find out what is going on in the various countries; Bishops, priests, religious orders and private persons all render important service by keeping the Vatican *au courant* with political, social and religious movements everywhere. The daily audiences granted by the Holy Father and the Cardinal Secretary of State enable them to get first-hand information of the most confidential nature, and to check by personal consultation the accuracy of the intelligence sent by reports to the Holy See. Besides these audiences there are the interviews with cardinals of the various congregations, which form another valuable means of communication with the various centres of Catholic influence in the world. All bishops in charge of dioceses have to visit Rome at fixed intervals and present full reports on the progress of religion in their areas. Civil governments may well envy the wonderful means at the disposal of the Holy See for obtaining accurate and unprejudiced information on every kind of question.

XI.

THE POPES AND THE ARTS.

From the Peace of the Church to the Exile of Avignon.

By Mrs. Arthur Strong, Litt.D., *etc.*

"Sculpture languishes for the same reason [as painting], being not with us [in England] made subservient to our religion as it is with the Roman Catholicks." (Sir Joshua Reynolds in "Journey to Flanders and Holland," see *Works*, ed. 1825, Vol. II, p. 34.)

1. *Attitudes of Popes to Art illustrated by the Iconoclastic Conflict.*—Of all the portraits of the early Popes collected together by Monsignor Mann in his fine monograph none should be more interesting to students of the arts in relation to the Papacy than that of Pope Adrian I, recovered some twenty-five years ago in the Atrium of Santa Maria Antiqua. Adrian, I need hardly remind you, was the first Pope clearly to define the function of art in the service of the Church, and to lay down a programme which has been that of all his successors in the See of Peter. His pronouncements on the subject belong to a time when the conscience of Christendom was still troubled by the difficulties raised in the iconoclastic controversy. It was in 785 that Adrian addressed a long letter to the Empress Irene, in which he set forth in great detail the reasons of the Church for supporting and encouraging the veneration of images, and in which he threatened to excommunicate any who should persist in the pernicious doctrines of the iconoclasts, as those were called who broke or destroyed the

sacred images. One immediate result of Adrian's letter was the summoning of a Council at Nicaea in the year 787.[1] By the decrees of this Council, the Eastern Church confirmed or restored the use of images, and enforced the sentences of excommunication against the iconoclasts. The Gallican Church, however, supported by the Frankish King Charles, afterwards Charles the Great, was strongly opposed to the decisions of the Council, and it was in connection with this controversy that Charles, assisted no doubt by the learned Alcuin and other eminent ecclesiastics of his court, wrote the famous *Libri Carolini* (Hefele-Leclercq III. 2, p. 790), in which, while condemning with his usual fair-mindedness the fanaticism indulged in by the iconoclasts, and admitting that images may well serve for the decoration of churches and *in memoriam rerum gestarum* to commemorate historical events, and also as a means of instruction to the illiterate, he yet pronounced decidedly against the false practices of those he called the image-worshippers.[2] The *adoratio* of images was to be rejected, the king asserted, nor were they to be venerated like saints, nor like the relics of saints, nor even like eminent living men, etc. To all this Adrian replied by a well-considered letter, reiterating his condemnation of all who refused to venerate the images of Christ, of

[1] For the Council of Nicaea and the letters of Pope Adrian and of Charles the Great, see especially Hefele-Leclercq, *Histoire des Conciles*, III, 2. Two excellent and lucid accounts of the whole iconoclastic controversy by the late Fr. Adrian Fortescue will be found in the *Catholic Encyclopaedia* and in Hastings' *Dict. of Religion and Ethics*.

[2] Most authorities seem agreed in attributing the mistaken views of Charles to the faulty translations from the Greek that had been sent to him of the Council's decisions (see Fortescue, etc.).

the Blessed Virgin, or of the saints, and defending his action with quotations from the speech in which earlier in the century his predecessor St. Gregory II (715–731) had explained the position of the Church in regard to the controversy.

All these documents, especially Adrian's letters to the Eastern Court and to Charles the Great, deserve to be better known by the general public. They are invaluable as an historical survey of what the Popes had done for art from the fourth century down to Adrian's own time. The precision of the Pope's knowledge is surprising when we remember that he was writing in 785, when documentary criticism was unthought of; but what is more impressive still is his perception of the true function of art. To minds trained in modern æsthetic some of his statements must inevitably appear crude and naïve, but he never doubts the spiritual efficacy of art or its transcendental value as forming the link, as it were, between stable and spiritual reality and the fleeting impressions of our material world. Art, said Pope Adrian, was not to be restricted, as Charles would have it, to the representation of events in sacred or secular history. Nor was it, he implied, to be a mere help to an act of worship, but in its more exalted aspects it became a religious or liturgical act—a thing instituted like prayer itself to the honour and glory of God.

To every student of art, as to every student of religion, the iconoclastic conflict, which brought the Papacy clearly to state its policy with regard to art, is of absorbing interest. The questions raised were of long standing. Like other rebels who have kicked over the traces, the iconoclasts were merely the extremists in a party that must have existed within the Church almost

from the beginning. So long indeed as there was danger of confusion between the pagan idol and the Christian image, the utmost caution had to be enforced. Hence the decisions of the Council of Elvira in the beginning of the fourth century, the strictures of Eusebius on the abuse of images,[1] and St. Augustine's rebukes to those who adored (*adoratores*) pictures and tombstones.[2] At no period, of course, was the veneration of images made a matter of obligation. At the very beginning of the controversy Gregory II had been careful to say that those who declined to venerate the images were not to be compelled to do so,[3] though he excommunicated those who broke them, and who Puritan-wise desecrated the furniture of churches. But from the beginning also it is easy to perceive that the mainspring of the papal action in these matters is the conviction that an absence of art implies or induces a certain atrophy of the religious instinct, and that neglect to use visible form as a means of approach to transcendental reality may lead in time to an impoverishment of the spiritual life.

Seeing how consistently the Popes encouraged the arts, it is surprising how little this aspect of their religious policy has been stressed. The two great Catholic historians of the Papacy, it is true, Ludwig Pastor and Monsignor Mann, bring forward, with increasing faith in their significance, the monuments of art and architecture to illustrate the papal activities. In an age that has banished art to the lower plane of historic interest, this is in itself a great gain. But what we need further

[1] *Hist. Eccles.*, VII. 18.

[2] August., *de moribus Eccles. Cath.*, I. 34, 75.

[3] *Adorare vero eas* (sc. imagines) *nequaquam cogimus qui noluerint* (see the document quoted by Jaffé, *Monumenta Alcuina*, p. 245).

is to understand more clearly the use which the Papacy made of art for the shaping of religious thought. The apocalyptic visions unfolded in early apsidal mosaics; the scenes from the life of Our Lady that proclaim her divine motherhood; the tombs that show the Popes as still guarding in death the Church over which they presided in life; the story of Man's creation and fall, as told on the ceiling of the Sistine Chapel; the mighty dome that rises over the tomb of the Apostle; those pictures in Raphael's *Stanze* that show all human knowledge unified and at rest in the central dogma of the Catholic Faith;[1] these are only a few outstanding examples of the manner in which, by the fostering care of the Papacy, art was made to contribute to the master ideas of Catholicism. This action of the Popes has a value that no other can approach, for its reforming spirit is constant under all varying manifestations. It is not the individual Pope, but the Pope because he is Peter (*tu es Petrus*)—and therefore identified with the Church—that the artist serves. This fact reasserted throughout the ages gives a unique character to the Papacy's continuous patronage of the arts in the sixteen centuries between the erection of the first Constantinian basilicas under Pope St. Sylvester, and the unveiling of the statue of Pope Pius X[2] by the reigning Pontiff on the eve of the Feast of St. Peter in this year of Grace, 1923.

[1] I refer more particularly to the "Triumph of the Catholic Faith" (represented by the Holy Eucharist) in the Stanza della Segnatura.

[2] This splendid monument seems to mark a true revival after the collapse of Catholic art during the last hundred years. Especially admirable are the bronze reliefs which transpose into a mystical key the chief acts of the reign of the illustrious Pontiff. The sculptor is E. Astorri, the architect F. di Fausto.

2. *Art from Constantine and Pope Sylvester to Theodosius the Great and Pope Damasus.*—The story to be told in illustration of these lofty principles is a long one. In the short time at my disposal nothing but a cursory sketch can be attempted, and even this can only be made intelligible by severe excisions and restrictions. In the first place I shall omit any reference to the art of the Catacombs, which, for obvious reasons, could not be so directly influenced by the Popes as was the art which arose everywhere throughout the Latin world after the freedom of the Church had been proclaimed, and a triumphant *Ecclesia Romana Urbana* had taken the place of the persecuted *Ecclesia Romana Suburbana* of the Catacombs. Secondly, I shall keep to the city of Rome, a useful restriction perhaps, as helping us to realize that under the Papacy, as under the Empire, Rome remained a chief centre of artistic influence and production. It follows that I shall also omit the episode of the Exile at Avignon, for fascinating though the art of Avignon is with its mingled Sienese and French elements, the papal city on the Rhone belongs to another enquiry than that of the *Urbs* on the banks of the Tiber.

I am aware, of course, that to make my points clearer I should preface them by some account of art under the Roman Empire, but if the subject of the Popes and art is almost too vast for compression into two lectures, I cannot be expected to deal with its pagan precursor. It is enough to recall that while the Papacy must be looked upon as directly responsible for the infusion of the Christian element into art, many pagan influences were allowed to survive. After all, did not St. Augustine himself, with the large tolerance so characteristic of Catholicism, defend these survivals in a chapter summed

up by the words, *Profani si quid bene dixerunt, non aspernandum?*[1] At first Pope and Emperor worked side by side in the erection of monuments and in their patronage of art. Of Constantine's conversion to Christianity it has often been said that it merely sanctioned a victory already won by inward forces. This judgment, which is no reflexion upon the sincerity of the Emperor's act, is in great measure confirmed by the curious ease with which art adapted itself to the service of the new religion. Recent discoveries show that the Christian basilicas had many features in common with the buildings which had sheltered the pagan mystery religions;[2] their walls showed schemes of decoration influenced by the friezes and panels of the imperial arches and columns; and in the great apses the *Parousia* of the Lord was clothed in an art-formula that had developed in the service of the imperial *Maiestas*. It is unfortunately difficult to point anywhere in Rome to a monument of which we could say that Pope St. Sylvester and his imperial coadjutor had actually built or seen what we now see. The great palace of the Lateran, however, which Constantine, to whose family it belonged, made over, some say as early as 314, to Sylvester's predecessor Pope Melchiades, though often transformed and finally rebuilt, remains an imposing witness to the first alliance between Rome and the Papacy. The Vatican to us is nowadays so distinctly symbolic of the papal power that it is often difficult to realize that up to the thirteenth

[1] *De Doctrina Christiana*, II, 13, 28 = Migne P.L. 34, 49.

[2] Of this a remarkable instance is afforded by the recently discovered subterranean building of basilican plan near the Porta Maggiore. The official temples, on the other hand, were abhorred and shunned by the early Christians.

century and the captivity of Avignon, the residence of the Popes was mainly at the Lateran, that from the Lateran they governed the Christian world, and that in the Lateran took place many of the great councils and most of the great ceremonial events of the early and of the mediæval Church. Adjoining the Palace, Constantine built a vast basilica which, as the first to be erected in Rome, bears to this day the proud title of *Omnium Urbis et Orbis Ecclesiarum Mater et Caput.* It was originally dedicated to the Saviour (*Basilica Salvatoris*) and not till much later to St. John the Baptist. Here were accumulated treasures of art of which we may read in the *Liber Pontificalis*, but we really know very little of the aspect of the Constantinian foundation, which was destroyed in 455 by Gaiseric and his Vandals, rebuilt by Pope St. Gregory the Great, and repeatedly altered to the present day.[1]

Next to the basilica, Constantine built, it is said, the famous Baptistery which afterwards became the legendary scene of his baptism, though, as we know, he actually put off being baptized till he was on his deathbed. The splendid porphyry piscina, long bereft of its silver casing and of the precious statues that surrounded it, is very possibly the original one, and the mosaic that still adorns one apse of the old vestibule probably dates from the time of Constantine.[2] Its beautiful pattern of acanthus and vine leaves is still distinctively Roman, and recalls the floral designs in the lower frieze of the *Ara Pacis Augustae*, the famous "Altar of Peace" put up in B.C. 12 by the Emperor Augustus.

[1] Last alteration under Leo XIII, whose favourite church it was, and where his body is eventually to be transferred from St. Peter's.

[2] Mgr. Wilpert gives 315 as the date.

Close to the Lateran rose the Basilica of Santa Croce or the Holy Cross (so repeatedly renovated that the old imperial foundation can scarcely be traced), which the Empress Helena constructed in part of her own palace (*Palatium Sessorianum*) to receive the wood of the true Cross and other relics of the Passion. Among other buildings made over to the Church by Constantine or his family must be reckoned the beautiful circular building on the *Via Nomentana* known as Santa Costanza. According to a recent conjecture it was probably the mausoleum originally intended by Constantine for himself, but which, being no longer needed for this purpose when the imperial capital had been transferred to Byzantium, was used as a place of burial for some of the ladies of the imperial family. The two niches of Santa Costanza are adorned with what are probably the two earliest Christian mosaics with figures in existence: the one represents Our Lord between Peter and Paul, the other Our Lord giving the keys to Peter.[1] Both scenes are set between palm-trees, symbolic no doubt of Paradise, and constantly repeated in the mosaics of the period.

While Constantine and his family were displaying their zeal for Christianity by handing over imperial buildings to be transformed into Christian places of worship, Pope St. Sylvester was erecting at the foot of the *Mons Vaticanus* the basilica which tended from the first to overshadow even the Mother of all the churches. This was only natural, since the *Basilica Vaticana* was erected close to the scene of the martyrdom of St. Peter,

[1] This interpretation (Mgr. Wilpert's) seemed preferable to Kondakoff's, who believes that the mosaic represents the giving of the law to Moses.

over the very tomb of the apostle to whom had been committed the keys of heaven. It enshrined the rock which was the foundation of the Christian fabric, and it seemed to bear witness in its every part to the words which were later to be inscribed in letters of gold around the drum of Michelangelo's dome: *Tu es Petrus et super hanc petram aedificabo ecclesiam meam . . .*

Of the primitive form of the Vatican basilica likewise we know little, but a drawing of the mosaic of its apse has survived, still bearing in its main lines the true stamp of early fourth century work, in spite of later additions and refashionings. The main composition, which should be compared with the two apse-mosaics of Santa Costanza, is clear: the group of Christ enthroned between St. Peter and St. Paul is set between the palm-trees, against a stellate background, while from beneath the rock at the feet of the Saviour gush forth the four rivers of Paradise, symbols of the four Gospels. Above the triumphal arch ran the inscription put up by Constantine in gratitude for the victory accorded him:

> *Quod duce te mundus surrexit in astra triumphans*
> *Hanc Constantinus victor tibi condidit aulam.*
>
> (Through Thee the world found Heaven in victory;
> Constantine victor builds this hall for Thee.)[1]

Under Constantine and Sylvester basilicas or churches rose everywhere over the tombs of the martyrs, but so often and so thoroughly were the Roman churches restored that little or nothing from this early period has anywhere survived. St. Paul on the Ostian Way,[2] for

[1] Translation by J.R.Bacon, lecturer in Classics at Girton College.

[2] A shrine attributed to Pope Anacletus already marked the sacred spot. As a rule, and in order to recall the burial-place of the martyrs over which they were erected, I refer to the basilicas "outside the walls" by the names of the roads on which they stand, and by the side of which the burials had taken place.

instance, constructed over the tomb of the great Apostle of the Gentiles, was rebuilt on a larger scale as early as under Theodosius. In the same way the Constantinian basilica in honour of St. Lawrence (*S. Lorenzo* on the road to Tibur) was completely refashioned by Pope Pelagius, and that of St. Agnes (on the *Via Nomentana*) —which, however, retains more of its primitive shape— was repeatedly restored.

In this dearth of unrestored monuments of the pre-Theodosian date Saint Mary Major's—the first large basilica to be dedicated to Our Lady—stands out as a striking survival. Its foundation is connected with Pope Liberius (352–366) and with the lovely legend of the miracle of the snow, which you may see represented among the twelfth century mosaics of the outer loggia, and which Masolino da Panicale depicted under Martin V in an altar-piece now in the Museum of Naples[1]. According to Monsignor Wilpert we should refer to the time of Pope Liberius the famous series of twenty-seven [2] mosaic panels representing episodes from the Old Testament, that runs down each side of the Church. One of the very finest, almost akin to archaic Greek work in the frontality of the poses and the balanced symmetry of the groups, represents the marriage of Moses and Zipporah, who stand beneath a typically oriental tent of shell-like pattern. If these mosaics, which other authorities attribute to a re-building under Sixtus III, are of this early date, then so is the main body of the church.

The two years' reign of Julian, surnamed the Apostate (361–363)—the last champion of dying Paganism—

[1] Formerly attributed to Masaccio.

[2] There were originally sixty-three.

formed an unhappy interlude after the glorious days of Constantine and Sylvester, but its duration was too short seriously to affect the progress of Christianity or to check the building of Christian churches. It was only, however, after the accession of Theodosius the Great (sole emperor 374–395), who has been called the second Constantine of the Church's fortunes, that the supremacy of Christianity, and with it that of Christian art, was finally assured. The imperial edict of the year 380 in favour of the Faith of St. Peter and Pope Damasus was followed by various decrees ordering the closing of the pagan temples, which mark the final stage of the conflict with paganism—and initiate a new era of building activity.

3. *From Theodosius the Great to Pope St. Leo.*—Even earlier than the Theodosian basilica of St. Paul is Santa Pudenziana, especially dear to English Catholics as being the titular church of the Cardinal Archbishop of Westminster. It has preserved much of its original character, and the apse at least seems to belong to the ancient hall of the *Thermae* over which the church was built. The apse mosaic, which can be dated from an extant inscription to the pontificate of Pope Siricius (384–398), is amongst the most admirable of all extant works of the kind, and in spite of many restorations has survived intact in all essentials, save for the loss of the two figures cut away at either side in the restorations of the sixteenth century. The group represented is the ceremonial development, as it were, of the apocalyptic visions that we have already seen in the apses of Santa Costanza and of St. Peter. In front of a semi-circular enclosure, whose tiles of gilt bronze reflect the light of the sky, sits Our Lord holding an open book, upon which

He is described as *Conservator Ecclesiae Pudentianae*; the apostles are disposed in two semi-circles on either side of Him, while two women, who respectively represent the church of the Gentiles and the church of the Jews, hold out crowns to the Redeemer.[1] At the back are the buildings of the New Jerusalem, with the jewelled cross planted on the mystical Golgotha that rises in their midst. This *parousia*, this presence of the Lord, is shown against a sky of purple, blue, and gold still in the tradition of great classical painting. We are far as yet from the rigid gold grounds introduced under the influence of Byzantium into later mosaic art.

The force of these apocalyptic scenes is self-evident; they form a grand commentary on the liturgy of the Church, and the image of Christ in the apse, symbolic of His second coming, seems actually to preside over His descent in the Sacrifice of the Mass, and to attune our thoughts to the Real Presence on the Altar.[2]

To Pope Sixtus III (432–440), as the inscription tells us (*Xystus episcopus Plebi Dei*), we owe the mosaics of the triumphal arch at Santa Maria Maggiore with the vivid and original pictures of the life of Our Lady and her Divine Child, put up doubtless to enforce the decision of the Council of Ephesus, which had defined as an article of Faith the Divine Motherhood of Mary.

[1] This seems better than to explain them as Pudentiana and her sister Praxede—or to suppose that the figures are holding crowns over the heads of the apostles—when the sole act of homage should be to the Lord.

[2] These apocalyptic groups, which included the Throne and the Lamb, the sheep issuing respectively from the cities of Bethlehem and Jerusalem, the seven candlesticks, *etc.*, were a constant feature of the apse decoration of primitive basilicas (cf. St. Paulinus of Nola's description of his own basilica of St. Felix at Nola, which affords a most interesting picture of a church of the time; cf especially *Epist.* XXXII, 10).

The same Pope also gave, it is said, to the Baptistery of the Lateran the mosaic decorations which, alas, have long ago disappeared.

The name of Pope Leo the Great, which is connected with so many buildings, survives still under the mosaic of the arch of St. Paul outside the Gates.[1] The inscription is of peculiar interest, as it recalls various stages in the rebuilding of the old Theodosian basilica, which replaced the smaller one erected under Constantine. The Princess Galla Placidia, who is responsible for the mosaic (the usual apocalyptic emblems on either side of a large medallion bust of Christ), recalls that the church had been begun by her father Theodosius, continued by her brother, Honorius, and finished by herself at the encouragement of Pope Leo.

Theodosius cœpit, perfecit Honorius aulam
Doctoris mundi sacratam corpore Pauli
Placidiæ pia mens operis decus homne paterni
Gaudet pontificis studio splendere Leonis.

Theodosius first, Honorius next enshrined
In splendour Paul, blest teacher of mankind:
Placidia's duteous heart rejoiced to see
Her sire's work crowned by Leo's piety.[2]

The era of Pope St. Leo is a great one, and he deserves well from history for his clear understanding of what the

[1] It is scarcely necessary to remind an English audience that St. Paul's was specially under the protection of the English King (as St. John Lateran was under the Royal protectorate of France and St. Mary Major's under that of Spain), and that its abbot was, and still is, or should be, the rightful Prelate of the *Order of the Garter*. Some very ancient insignia of this noble order are preserved at St. Paul's, and were, I believe, displayed to our present Queen when she visited the venerable basilica on Ascension Day last, May, 1923. The exiled Stuarts had a special devotion for this basilica, and it is said that the Cardinal Duke of York ("Henry IX") used to receive "sovereign honours" when he visited it.

[2] Trans. J. R. Bacon.

world and Christianity itself owed to the Roman Empire. Never has belief in the unity of Rome's civilizing effort been so well expressed as in the noble words of this Pope: *ut enarrabilis gratiæ per totum mundum diffunderetur effectus Romanum regnum divina providentia praeparavit.*[1] "To the end that the fruit of God's unspeakable graciousness might be diffused throughout the world, the Divine Providence created beforehand the Dominion of Rome"—a significant warning to those who seek for the sources of Roman art elsewhere than in the city of the emperors and of the apostles, that in the end they will always come upon Rome and her influence.

One of the memorable events of Leo's pontificate was Attila's withdrawal, as if by miracle, from the walls of Rome. In gratitude for the safety of the city the Pope is said to have erected in St. Peter's the seated bronze statue of the apostle which all Catholics venerate. The date seems confirmed by the style, and there is little to commend the recent theory that the celebrated statue is a work of the thirteenth century. Nor can it be regarded, I think, as adapted from a statue of Jupiter. It bears the stamp of original work.

4. *Felix IV and Justinian to Leo III and Charles the Great.*—From the sixth century and the pontificate of Felix IV (526–530) we have one of the greatest examples of Roman art under the Papacy. This is the magnificent mosaic of the apse of the church of SS. Cosma and Damiano on the Roman Forum, the original splendour of which the many subsequent restorations have been powerless to dim. The Saviour descends from the heavens along a path of shimmering clouds, and is acclaimed by a group of saints, while on the extreme left

[1] *Sermo* LXXII: Migne, P. L., Vol. LIV, 423.

we see the portrait of the Pope himself, who, as the dedicatory inscription tells us, erected the church[1]. In front, a river inscribed *Jordanes* runs through a meadow pied with brilliant flowers. As we look at the picture and the glorious track of pink and blue clouds, the lines of Wordsworth instinctively come into our mind:

> But trailing clouds of glory do we come
> From God, who is our home.

The mosaic is of special historical interest also as belonging to almost the same period as the two famous groups in San Vitale at Ravenna of the Emperor Justinian (527–565) and his consort Theodora. The similarity of the style is evident, save that in the Ravenna groups the composition is more crowded.

Later in the century the Constantinian basilica of St. Lawrence on the *Via Tiburtina* was enlarged by Pope Pelagius II (578–592), who is commemorated there by his portrait in the mosaic of the arch, where Christ appears enthroned on the globe (as in one of the Sta. Costanza mosaics) amidst a group of saints.

To our disappointment no monuments survive from the pontificate of the illustrious St. Gregory the Great (590–604); though it would be more correct to say that he has left the greatest of all monuments in his reform of music and his institution of the Gregorian chant. Music, needless to say, has always been a special care of the Papacy (Popes Marcellus, Pius X, *etc.*)—but the subject would require a special lecture to itself.

In the same century the baptistery of the Lateran once more became an object of Papal munificence. John IV (640–642), a Dalmatian by birth, built im-

[1] Cf. *Origin of Christian Church Art*, by J. Strzygowski, E.Tr., pp. 179–180.

mediately behind it the Oratory of St. Venantius, where the fine mosaics of the apse and its wall represent a company of saints that acclaim the Second Coming of the Lord. Within the conch of the apse on the left we see Pope John IV himself holding a model of the Oratory.

5. *S. Maria Antiqua.*—We perhaps get a better idea of the continuous care which the popes devoted to the churches by leaving scattered monuments and devoting ourselves for one moment to the interesting little church of Santa Maria Antiqua, excavated in 1901, on the west side of the Roman forum. Its walls are a regular palimpsest, and show at least five strata of paintings which may be dated with tolerable certainty. The earliest layer of fresco on the right of the apse is an imposing picture of Our Lady enthroned between two angels adoring. On internal evidences of style Monsignor Wilpert proposes to date this as early as the end of the fifth century. If this be so—and the arguments in favour of this early date seem sound—the fresco becomes of paramount interest, not only for its beauty, but as an early example of Our Lady in ritual attitude. The lovely group of the Annunciation, which was painted over the earlier enthroned Madonna, is attributed by Monsignor Wilpert to the pontificate of John II (532–535). Under Martin I (649–655) the church was once more entirely refrescoed, and the whole painted decoration again renewed[1] at the beginning of the eighth century by Pope John VII.

John VII (705–708) has long been known to the history of art for the chapel dedicated to Our Lady which he erected at St. Peter's, to receive the precious

[1] The frequent restorations and repaintings were probably made necessary by the damp of the church.

relic of the *Sudarium.* The chapel was demolished for the building of the new St. Peter's, but various fragments of the mosaics that decorated it have survived. One from an "Adoration of the Kings" shows the Blessed Virgin and the Child enthroned (now in the Sacristy of Sta. Maria in Cosmedin); the other in the crypt of St. Peter's represents the Pope himself holding the model of his chapel.[1] It was this same Pope, then, who caused the apse wall of Santa Maria Antiqua to be covered with a magnificent apocalyptic scene of the Adoration of the Crucified in illustration of the words from John xii. 32: "And I, if I be lifted up from the earth, will draw all things unto Me." On either side of the cross are a crowd of white-robed angels, and below multitudes come forward in acclamation. Below again are verses from the Prophets relating to the Passion. Beneath we can read the remains of the inscription to Our Lady: *Sanctæ Dei Genitrici Semperque Virgini Mariæ: Quae Appellatur Antiqua Johannes Indignus Episcopus Fecit*[2]; and with that respect for tradition which has always been characteristic of Rome, John does not forget the memory of the predecessor, who had also made the church his care, and here on the right of the apse among other popes is Martin I, the martyr of the Monothelite controversy, with his name inscribed. On the left side of the presbytery, in a beautiful little chapel dedicated to St. Quiricus, we find a portrait of Pope Zachary (741–752), the first Pope to turn his eyes towards the rising Carolingian star. Of the many

[1] Two more fragments (Bath of the Holy Child; Entry into Jerusalem) are in the Museum of the Lateran.

[2] The second half of the inscription is obliterated, but is completed by analogy with John's inscription in his chapel at St Peter's, a copy of which is extant.

monuments attributed to him none are left, but his portrait at Sta. Maria Antiqua seems to indicate that he was actively interested in the decoration of this chapel, which was set up in his pontificate by one Theodotus, a high official of the papal court. The Pope is seen on the left of the group of saints beneath the Crucifixion of the central wall, while the remaining walls are decorated with scenes from the *passio* of St. Quiricus and his mother Julitta. Returning to the apse of Sta. Maria Antiqua we find the lower niche decorated with a large image of the Saviour, at whose feet kneels Pope Paul I (757–767), a picture unfortunately much damaged, but which seems to make it certain that Paul I once more restored the church. We now return to the forecourt, or atrium, where on the right wall is a striking group of Our Lady (inscribed *Maria Regina*) surrounded by saints. On the extreme left, introduced by his patron St. Adrian, to whom he had dedicated the church on the opposite side of the forum, is Adrian, the great Pope of the iconoclast conflict, apparently in the act of presenting to his divine patroness a book, doubtless intended for the service of her church.

6. *The Carolingian epoch*, owing to the enthusiasm of its sovereigns, and especially of Charles the Great, for Rome, brought wealth to the Eternal City, and we may trace the effects of this in many of the monuments. Pope Leo III (795–816), for instance, who crowned Charles at St. Peter's, and founded the Holy Roman Empire by his act, has left a stupendous memorial of the event in the mosaic of the Lateran triclinium, where on the right of the apse we can still admire, badly restored though it has been, the noble group of St. Peter handing the pallium to the Pope, who kneels at his right, and to

Charles, who kneels at his left, the banner of the Christian army. Below runs the inscription: *Beate Petre donas vitam Leoni PP et bictoriam* (sic) *Carulo regi donas.*

Paschal I (817–824) is famous in the history of art for having decorated with mosaics three of the loveliest churches of Rome, *Santa Prassede, Santa Cecilia, Santa Maria in Domnica.* In the two first the pictures of the apse are closely modelled upon that of SS. Cosma and Damiano, which soon seems to have become a classic example, and in both the Pope is shown on the left with the model of the church in his hands. At Santa Maria in Domnica we have quite another theme; here the Pope kneels before the Blessed Virgin, who sits enthroned within a flowery meadow below the apocalyptic vision of the arch of the apse.

7. *The so-called Dark Ages.*—The pontificate of Gregory IV (827–844), one of Paschal's immediate successors, marks the beginning of an era of misfortunes, but he is known to have been active as a builder and restorer of churches, and in the apse of S. Marco—the little basilica afterwards incorporated into Paul II's Palazzo di Venezia—his portrait appears on the left of the usual apocalyptic group (again following the classic model of SS. Cosma and Damiano), one of the last in the long series. The darkness of the age may have been as profound as historians picture it, but painting at least continued to flourish from the ninth to the eleventh centuries, as the fine series of wall-paintings in the Lower Church of S. Clemente testify. Among the frescoes executed here in the ninth century there is one with the portrait of Leo IV (847–855) which affords a precious link between Rome and England, for it was Leo who anointed Alfred the Great when he came to Rome

for the first time as a child of four in 853 with his father. As Leo III and Charlemagne mark the beginning of the ninth century, so Leo IV and Alfred—after Charles the greatest personality of the time—illumine its later years. It was Leo also who walled and fortified the *Borgo* (the part of Rome round St. Peter's), whence it is called the Leonine city. After Leo we have to admit that art flags in Rome, at any rate its monuments have either disappeared or else they were very few.

8. *The Gregorian Revival and the Twelfth Century.*—With St. Leo IX (1049–1055) begins the period which Monsignor Mann calls the Gregorian Revival, but at first there was no notable movement in the arts, which only began to flourish again under Pope Gregory VII (Hildebrand, 1073–1085), who rightly gives his name to the period. To his time may be attributed another series of frescoes at S. Clemente, some of which show vigorous powers of composition. One of the best represents the miracle of the little child found by his mother on the island where he had lain for a year surrounded and sheltered by the waters, under the protection of St. Clement. The fire of Robert Guiscard in 1078 caused great damage to Rome; and though the damage has doubtless been exaggerated, a number of buildings were destroyed and then restored or replaced, sometimes with great splendour.

We are now on the threshold of the great twelfth century, itself only preparatory to the greater thirteenth, the two together representing that rich period of Catholic art to which the churches and cathedrals, the minsters and monastic buildings that then arose all over Western Europe still bear generous witness. Everywhere art, and especially building, testified to the

zeal and the enthusiasm of the religious orders. In addition to which, the great canonizations of St. Francis, of St. Dominic, of St. Thomas Aquinas gave a new point of departure for an extraordinary art-development, as will be seen (it may be hoped) at next year's Summer School of Catholic Studies, when the art that centred in the great figure of St. Thomas comes to be illustrated. But none of these developments can be followed out here.

In Rome, Paschal II (1099–1118) is responsible for the Upper Church of San Clemente, which replaced the Lower Church—destroyed, it is said, in the Norman fire—and for the magnificent mosaic of its apse, which reproduces the old classical theme of the vine and acanthus scrolls, enriched and raised to a higher power by the introduction amid its branching foliage of the Crucified between Mary and John. This superb work appositely marks the beginning of the twelfth century. Pope Innocent II (1130–1143) redecorated the old church of Santa Maria in Trastevere, where we may see his portrait on the left of the mosaic of the apse, carrying a model of the church he had restored. This mosaic, in which Our Lady appears enthroned, though as yet only timidly, by the side of her Son, marks the advent of a new and intenser phase of her cult in Rome. A number of discoveries within the last years have revealed other paintings of the period, such as the Last Judgment in St. John of the Latin Gate, which dates from the time of Celestine III (1191–1198), the immediate predecessor of the great Innocent III, and the beautiful Angel of the Resurrection with the Three Maries, in what is now the Lower Church of SS. Cosma and Damiano. Nor must we forget that in 1172 Alexander III, by his canonization

of St. Thomas of Canterbury, consecrated a whole art movement that centres in the English martyr. A good monograph is needed that shall bring together all its manifestations, and put on record the many frescoes executed in honour of St. Thomas both in England and in Italy (Spoleto and Anagni in particular), not omitting the splendid shrine to which the holy relics were transferred in 1220 at the authorization of Honorius III (see Mann, Vol. X, p. 209).

9. *In the thirteenth century*, under the great popes, of whom the first is Innocent III (1198–1216), the revival that began in the twelfth century is gloriously continued. Of the illustrious Pontiff himself several portraits have survived, the finest of which, brought into the prominence it deserves by Monsignor Mann in the monograph referred to, is in the Benedictine monastery of Subiaco (*Sacro Speco*). But sculpture especially flourished under Innocent, and of this I shall speak a little later on. His successor, Honorius III (1216–1227), is responsible for the second transformation of San Lorenzo, and for much work at St. Paul's on the *Via Ostiensis*, where in the mosaic of the apse we see the Pope, reduced to microscopic dimensions, kneeling at the feet of the enthroned Christ. A curiously fascinating series of paintings belong to the pontificate of Innocent IV (1243–1254). They were executed about 1246, and decorate the chapel of San Silvestro, which is attached to the church of the Santi Quattro Coronati. On the principal wall is a large composition of Christ in glory; immediately below are the three first panels that tell the story of the conversion of Constantine, which is continued round the chapel. In the first we see the Emperor, who has been attacked by the hideous disease of leprosy, consulting

the doctors; they tell him that he can only be cured by bathing in the blood of infants, a remedy to which the mothers of Rome, seen in a group on the right with their babies in their arms, are naturally averse, while Constantine himself makes a gesture of disgust at the suggestion. In the second panel the Emperor is seen asleep; the Apostles Peter and Paul appear to him in a dream, and tell him that there is another way to health—which is to send for the banished Pope St. Sylvester, who, owing to Constantine's cruel persecutions, had taken refuge in a hermit's cell on Mount Soracte. In a third panel the three envoys of the Emperor are seen riding through a wood. Next they are seen to have dismounted and to be painfully climbing up the steep slopes of Soracte, while the Pope comes out to enquire what is happening. He is naturally much astonished by their wonderful story, and consents to accompany them to Rome, but before meeting the Emperor he is careful to fetch the portraits of SS. Peter and Paul from the Treasury of St. Peter's. He shows these to the Emperor, who stretches out his poor leprous arm towards the portraits as he exclaims: "These, these are the men of my dream." The sequel you know, how the Emperor was converted and baptized and all ended well. At this point we may recall the delightful and naïve passage in Pope Adrian I's letter about the images, in which, speaking of the value of portraiture, he pertinently asks what would have happened in the days of St. Sylvester, had there been no portraits of the Apostles wherewith to convince the Pope that Constantine's vision was a true one, and to assist the Emperor to recognize the personages of his dream?

I often like to think that Dante, who came to Rome

some fifty years later, in 1300, at the time of the jubilee of Boniface VIII, may have wandered away after hearing the benediction *Urbi et Orbi* from the loggia of the Lateran to the chapel of St. Sylvester, not five minutes distant, and have seen these pictures. Was it his recollection of them that inspired him to write the lines:

> Ma come Constantin chiese Silvestro
> Dentro Siratti a guarir della lebbre?[1]

The name of Nicholas IV (1289–1292), though he reigned so short a time, is connected with great works of art. In his pontificate the apse of St. Mary Major's was restored and decorated by the Roman Jacopo Torriti with a lovely mosaic, in which the group of Christ enthroned with His Mother at His side, is seen against a background of exquisite foliage, while the Pope himself is represented kneeling amongst other saintly figures on the left. We find Nicholas again in the same lowly posture in Torriti's mosaic of the apse of St. John Lateran, also put up—or it may be only restored—by this Pope's care.[2] It was at this time also that the same Torriti executed the frescoes which have lately been laid bare above the eighteenth century ceiling of St. Mary Major.

10. *Pietro Cavallini and the Roman School.*—Among Roman artists who stand out prominently towards the close of the thirteenth century none is more remarkable than Pietro Cavallini; he has long been known as the author of the series of mosaic panels illustrating the

[1] *Inferno*, 27, 97.

[2] The apocalyptic theme, which is quite early in character, and the classic representation of the river Jordan, with love-gods disporting themselves in its waters, tend to show that the mosaic is an early one, and that Torriti restored it and introduced into it fresh figures of saints and the Pope's portrait.

Life of Our Lady in Santa Maria in Trastevere, below Innocent II's mosaic of the conch. But it is only within the last twenty years or so that Cavallini has come to his own through the discovery at Santa Cecilia of the *Last Judgment*, which he executed there towards the end of the century, probably as late as the pontificate of Boniface VIII. This grandiose composition is unfortunately little known as yet, as it is in the choir of the Benedictine nuns, and therefore within the enclosure. The beauty of the forms, the splendour of the colour, are still evident; and a restored drawing of the whole, carefully undertaken by Monsignor Wilpert, gives some conception of the original grandeur of the composition. In the little basilica of S. Georgio in Velabro, of which Cardinal Newman was once the titular, Cavallini painted for his famous patron Cardinal Stefaneschi, nephew of Boniface VIII, whose church it was, a fresco in which we see, on the extreme left, one of the rare representations in Rome of our own St. George of Merry England carrying his flag,[1] and while his contemporary the Tuscan Giotto was painting for Santa Maria sopra Minerva, the new church of the Preaching Friars (built about 1280–1295), a Crucifixion that has long since disappeared, Cavallini painted for the Franciscan Church of the *Ara Coeli* the picture, likewise lost, of Our Lady in a glory of angels, with the Sibyl, and with the Emperor Augustus adoring the Child.

11. *Sculptors and Architects of the Twelfth and Thirteenth Centuries* (*the Cosmati*).—The Roman school of painting that had Cavallini for its most illustrious exponent is paralleled by an equally important school of

[1] The personages are: Our Lord between His Mother and St. Peter, and at the sides St. George and St. Sebastian.

sculptors and architects, generally referred to as the Cosmati, from the illustrious family of sculptors that flourished in the thirteenth century. By the majority of the public the Cosmati are apt to be known solely for the beautiful mosaic work in which they revived old Alexandrine and Roman patterns, using fragments of ancient marbles for the purpose; but it is as architects and as sculptors that they were supreme, and deserve a foremost place in the history of the major arts. Among the earliest works of the school is the beautiful baldachino or ciborium at *San Lorenzo*, dated 1147. In 1190 a Cosmatesque artist, P. Vassallettus, had made the grand paschal candlestick with its rich bands of relief that we admire in the choir of St. Paul's on the Ostian Way. For the adjacent monastery architects of the same school erected the cloister that all know. One of the artists named on its cornice is a *Magister Paulus*, who has likewise been credited with the shrine of Edward the Confessor put up in Westminster Abbey in 1268 under Henry III, who himself lies in a tomb of Cosmatesque character. The mosaics of the Confessor's shrine may still be traced, but the gold, or bronze-gilt, images and the inlaid jewels that once adorned its upper part were destroyed by Protestant fanaticism. A little later, between 1222 and 1230, two Vassalletti, father and son,[1] built the superb cloister of the Lateran, the beauty of which is never more striking than on spring days when the flowers of the garden seem to compete in brilliancy with the many-coloured mosaic inlay of the columns.

[1] The Roman sculptors of the time—*marmorarii*, or marble-workers as they were called—seem to have handed on their craft from father to son. Of their families the two most celebrated were the Vassalletti and the Cosmati, but there were many others whose names are forgotten.

That the so-called Cosmati were both architects and sculptors of the first order is shown by the imposing series of tombs, of which one or two examples only can be quoted here. They are of primary importance, as affording the best Roman examples of that Gothic, which is always supposed to have been ignored or misunderstood by Rome. These tombs should convince you of the contrary. One of the most celebrated, that of Adrian V (+1277), is at Viterbo, near Rome. Few monuments offer a more happy combination of the arts; architecture is represented by the fine Gothic forms of the tomb; sculpture by the recumbent effigy of the Pope; coloured decoration by the mosaics of the basis. The same may be said of the tomb of Cardinal Durandus of Mende, the author of the *Rationale*, in the Dominican Church of *Santa Maria sopra Minerva*, and of the tomb of Cardinal Fieschi at S. Lorenzo, with the portrait of Innocent IV in the beautiful fresco of the lunette. A magnificent and little-known example of Cosmatesque work is the tomb of Cardinal Stephen de' Surdi (of the year 1295), now to be seen at St. Balbina on the Aventine. The cardinal, whose recumbent figure is treated with grand and classic simplicity (note the pose of the head, the long lines of the folds, etc.) was one of the chaplains of Boniface VIII, and his tomb was originally in St. Peter's. Another example of the genius of the Cosmati as sculptors is afforded by the recumbent effigy of Cardinal Ancher of Troyes on his tomb—now, alas, bereft of its baldachino—in the Church of Santa Prassede, of which Ancher had been the titular (†1236). The great Arnolfo del Cambio came to Rome in the time of the later Cosmati, and worked under their influence as well as with them, as the splendid ciborium of St. Paul's

of the year 1285 bears witness. Of extreme beauty in this are the angle figures of Adam and Eve, of Abel and Cain. Arnolfo likewise executed, still in the same style, the ciborium at Santa Cecilia (1292), with fine angle statuettes of the Saints venerated in the church.

12. *Art under Boniface VIII. Rome the cradle of the Renaissance.*—Another work attributed to Arnolfo is the portrait statue for the tomb of Boniface VIII, whose splendid pontificate practically closes the period of which I am speaking. Boniface stands out as one of the greatest men who ever occupied the throne of Peter. He is one of the great creative spirits who give a new direction to the currents of history, even though, like Napoleon's, their efforts end in personal disaster. It is sad to reflect that because the Pope offended the political opinions of Dante, the poet prepared a place for him in his *Inferno*,[1] and continued by the force of his genius to control the judgment of posterity. In his later years the poet must assuredly have suffered from an uneasy conscience on the score of Pope Boniface. A reaction has now set in. The main traits of Boniface's work and character—so long obscured by the folly of his contemporaries and the prejudice of historians—are now seen in a truer light, owing largely to the efforts of a younger school of Italian mediævalists, foremost among whom is Pietro Fedele.[2]

In all things Boniface VIII thought in a truly imperial manner. He believed that the papal effigy, like that of the Roman emperors, should be multiplied throughout the world, though this was made a reproach to him by the pettifogging and short-sighted people who criticized

[1] *Inferno*, XIX; cf. *Inferno*, XXVII.

[2] Professor of Mediæval History in the University of Rome.

and misunderstood him in life and wrote his biographies after his death. One of the finest of his portrait statues, besides the one over his tomb just referred to, now stands forgotten in the Duomo at Florence, and its original provenance is unknown. It shows the great Pope in full frontal attitude, immobile like an Egyptian Pharaoh, or a Greek effigy of the archaic period, but a strong sense of life animates the severe lines of the composition. Art reached such a point of splendour in his pontificate that painters or sculptors from every part of Italy flocked to Rome in great numbers, attracted by the promise of work and by the fame of its masters.

It used to be said that at the close of the thirteenth century artists were summoned—more especially from Florence—to revivify the art of Rome. But these mistaken views are being revised. Since the discovery of Cavallini's frescoes at Sta. Cecilia, there is a growing tendency on the part of critics to regard Rome rather than Florence as the cradle of the movement known as the Renaissance. That Giotto at least—to name only the greatest—came as a disciple rather than as a teacher to the Eternal City seems clear from the manner in which his genius expanded in the atmosphere of Rome. He began by painting in the style of a miniaturist,[1] but with the experience gained from a study of Roman art he began to design figures that seem hewn out of stone. All that can be said for the older view is that the exile

[1] Pératé, p. 47 (see bibliography). Stanley Lothrop and Van Marle in the works given in the bibliography almost do justice to the Roman School and acknowledge its importance, but more books are needed to popularize the forgotten paintings at St. Elia, near Nepi, of the Sacro Speco at Subiaco, and the marvellous frescoes from S. Agnese outside the walls, of the School of Cavallini, now quite unheeded in the Museum of the Lateran.

of Avignon put back the further development of the Renaissance in Rome and gave Florence a chance of earlier expansion; but after Avignon and the schism, Rome once more took the lead, and continued to be the prevailing influence in art till the close of the eighteenth century. If we consider facts impartially, this was inevitable, since Rome as the seat of the Papacy was also the seat of Catholicism, which at the lowest estimate of its power provided more themes for art and more work for artists than any other movement religious or civil of ancient or modern times.

Boniface VIII and the illustrious cardinals who formed a court round him comparable in brilliancy to that of Sixtus IV in the fifteenth century, were naturally keen to open out the papal city to the artistic enterprise of the world.[1] In the first place there could not have been artists enough in Rome to accomplish all that was planned; and in the second it would be in harmony with the Catholic and universal conception of the Papacy stressed by Boniface to extend a welcome to whomsoever could contribute to the assertion of his ideas.

It is probable, for instance, that admiration for the works which Giotto had carried out for his nephew Cardinal Stefaneschi[2] induced the Pope to employ the young Florentine painter, for we find Giotto busy at the Lateran, both in the basilica and in the palace. It was Giotto, moreover, who was chosen to paint the great scene of the first Papal Jubilee instituted by Boniface

[1] "Boniface was a patron of the fine arts such as Rome had never yet seen among its Popes": art. "Boniface VIII," by Th. Oestreich, O.S.B., in *Catholic Encyclopaedia.*

[2] *i.e.*, the mosaic of the Navicella from the façade of St. Peter's (now within the vestibule of the new basilica); the lovely altar-piece, the panels of which now hang in the sacristy of the basilica, *etc.*

VIII in 1300, when the Pope, standing in the old loggia of the Lateran, surrounded by his cardinals and his court, pronounced the Papal Benediction, *Urbi et Orbi*, a ceremony that may well have been witnessed by Dante, who was in Rome at the time.

Giotto's noble picture, of which the central part only now remains—showing Boniface between two "assistants"—represents as it were the supreme moment in the life of the great pope, who in the most famous of all mediæval Bulls, the *Unam Sanctam* of the year 1203, insisted on the subjection of the temporal sword of Christian rulers to the spiritual authority of the Church.[1] Giotto's colours must have been still fresh on the walls of the papal loggia when all this glory came to a sudden end in the tragedy of Anagni. The mild and gentle Benedict XI, who succeeded Boniface, seems in his short pontificate to have had little effect upon the development of art. It is interesting to note, however, that Giotto is said to have made a portrait sketch of him, which Andrea di Bonaiuto used for the beautiful portrait of the Pope in the Aquinas fresco of the Spanish chapel at Santa Maria Novella in Florence. The next Pope, Clement V, moved the seat of the papal government to Avignon, and with this momentous episode ends the first period in the history of the art of the Papacy.

Gone now was the dream of a united Italy under a secular monarch, a dream of which, as a recent writer has wittily said, Dante in his *De Monarchia* of the year 1313 wrote the epitaph rather than the prophecy.[2] Gone also was the dream of Pope Boniface of a great

[1] Cf. the article "*Unam Sanctam*" in the *Catholic Encyclopaedia*, by Father Kirsch, S.J.

[2] E. Sharwood Smith (paraphrasing Lord Bryce) in *Social and Political Ideas of the Middle Ages* (1923, ed. Hearnshaw), p. 135.

world-empire under the Papacy. Yet the check to art in Rome was only temporary. The leadership of Rome was interrupted for a while, only to be renewed with greater vigour after the episode of Avignon and the yet more dolorous years of the Great Schism (1378–1417). When at last by the election of Martin V (Colonna, 1417–1431) the Papacy settles down again to fresh glory, the policy of Pope Boniface is resumed, and as we look back across the ages we can see, as it were, the venerable Martyr of Anagni standing at the cross-roads between Mediævalism and Renaissance, pointing the way to the achievements which made the Rome of the fifteenth, sixteenth and seventeenth centuries the wonder of the world. At the bidding of the later Papacy, Fra Angelico and Michelangelo, Raphael and Bernini were to present Catholic doctrine clothed once more in forms of matchless beauty. But the lines along which they worked had been laid down far back in the centuries by Popes St. Sylvester and St. Leo, by Adrian and his successors of the Carolingian period, by the Popes of the Gregorian Revival, and by the great men who occupied the throne of Peter during that thirteenth century which closes with the prophetic figure of Boniface VIII.

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[1] See the note to Mgr. Mann's Bibliography.

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